

## RECOMMENDATION REPORT

### Australian War Memorial Redevelopment, Campbell, ACT (EPBC 2019/8574)

#### Recommendation

That the proposed action, to redevelop the existing Australian War Memorial to address current constraints in available display space and visitor amenity, be approved subject to the conditions specified below.

Conditions	Relevant paragraph in report
<b>Part A-Conditions Specific to the action</b>	
<b>Removal and reinstatement of Main Building fabric</b>	
<p>1. To minimise the <b>impact</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must:</p> <p>a. Implement a process of conserving and reinstating original stone in accordance with pages P5-P10 in <b>Appendix A</b> as advised by a <b>suitably qualified expert</b>.</p> <p>b. Document the as-built condition of the existing handrail, forecourt, entry stairs, entry paving and sandstone bastions prior to <b>commencement of the action</b> and provide this documentation to the <b>Minister</b>.</p> <p>c. Ensure stone requiring removal from the <b>Main Building</b> forecourt, entry stairs, entry paving and sandstone bastions is catalogued and tagged to identify its original location and orientation, safely stored and maintained until required for reinstatement in accordance with pages P5-P10 of the <b>Appendix A</b>.</p> <p>d. Reinstatement of the original flagpoles and ensure at least 90% of the original stone removed from the <b>Main Building</b> forecourt, entry paving, entry stairs and sandstone bastions is reinstated.</p> <p>e. Where the original stone cannot be reinstated or is considered weather damaged, it must be replaced by stone recovered from the removal of the stone enclosure around the air-coolers at the north-east corner of the <b>Main Building</b>.</p>	<p>59a, 126a, Table 2, Table 8, Table 9</p>
<p>2. To minimise the <b>impact</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must:</p> <p>a. Source any required new stone for the <b>new Southern Entrance</b> and <b>forecourt</b> works from the same quarry(ies) used to source the stone for the existing <b>Main Building</b> and <b>forecourt</b>.</p> <p>b. Ensure if the stone for the <b>new Southern Entrance</b> and <b>forecourt</b> works is unable to be sourced from the same quarries used to source</p>	<p>58c, 126a, Table 2, Table 8, Table 9</p>

<p>the stone for the existing <b>Main Building</b> and <b>forecourt</b>, that the stone utilised for the works has a visual and textural appearance consistent with the existing stone.</p>	
<p><b>Managing Construction Impacts</b></p>	
<p>3. To minimise the <b>impact</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must implement protection measures to ensure that <b>fabric</b> of the <b>Main Building</b> is managed and monitored during <b>construction</b> works to ensure no structural damage occurs in accordance with pages P5–P10 in <b>Appendix A</b>. These measures must include as a minimum:</p> <p>a. Engaging a <b>suitably qualified expert</b> to:</p> <ul style="list-style-type: none"> <li>○ Oversee and inspect the demolition and removal of building material to ensure there is no unapproved removal of Main Building <b>fabric</b> or elements other than the impacts identified in <b>Appendix A</b> and <b>Appendix B</b>;</li> <li>○ Advise on procedures to handle and monitor <b>impacts</b> to <b>Main Building fabric</b>;</li> <li>○ Provide ongoing advice throughout the <b>construction</b> period including measures to manage traffic and laydown areas to reduce the risk of accidental <b>impacts</b> to the heritage values of the site.</li> <li>○ Undertake regular inspections (on a daily basis or continuously during critical stages) throughout the <b>construction</b> of the <b>new Southern Entrance</b> to minimise <b>impacts</b> to the <b>Main Building fabric</b>.</li> </ul> <p>b. Installing appropriate vibration sensors in the <b>Main Building</b> with threshold limits and alarms to detect any structural movement during bulk excavation and <b>construction</b> works and cease work if threshold limits are exceeded and/or structural impacts are detected.</p> <p>c. Establishing a minimum 1.5 metre heritage buffer zone along the <b>Main Building</b> southern facade in accordance with pages P5-P8 in <b>Appendix A</b> to reduce the risk of structural <b>impacts</b> to the <b>fabric</b> of the <b>Main Building</b>. The heritage buffer zone must be clearly fenced and marked.</p> <p>d. Underpinning of the <b>towers</b> in accordance with pages P5-P8 of <b>Appendix A</b> to ensure structural integrity of the <b>Main Building</b> is maintained throughout the <b>new Southern Entrance</b> works.</p> <p>e. Identifying and implementing contingency measures approved by a <b>suitably qualified person</b> (structural engineer) in the case that structural <b>impacts</b> to the <b>Main Building</b> are detected during the <b>construction</b> phase.</p> <p>These measures must be established prior to the <b>commencement of the action</b> and maintained throughout the duration of <b>construction</b> activities.</p>	<p>60, 126a, Table 2, Table 8, Table 9</p>
<p>4. To minimise the impact of the action on <b>protected matters</b> during the <b>construction</b> phase, the <b>approval holder</b> must document prior to <b>commencement of the action</b> and implement appropriate measures to:</p>	<p>151</p>

<ul style="list-style-type: none"> <li>a. Protect all onsite mature trees that are not planned for removal (i.e. exclusion fencing).</li> <li>b. Clear only one hollow bearing tree in accordance with Figure 1.</li> <li>c. Prevent soil erosion and stormwater contamination and implement contingency measures in the event of an impact being detected.</li> <li>d. Monitor and manage any underground storage tanks to prevent soil and groundwater contamination.</li> <li>e. Prevent any <b>impacts</b> to known Aboriginal Cultural Heritage sites in accordance with Figure 2.</li> <li>f. Quickly detect any previously unknown items of Aboriginal Cultural Heritage that are encountered during <b>construction</b>, immediately stop any works that could cause <b>impacts</b> until consultation with Registered Aboriginal Organisations results in agreement to resume works.</li> <li>g. Induct <b>construction</b> personnel so that they are aware of the National and Commonwealth Heritage values and the Aboriginal Cultural heritage values of the site.</li> </ul> <p>These measures must be established prior to the <b>commencement of the action</b> and maintained throughout the duration of <b>construction</b> activities.</p>	
<b>Archival Recording of Australian War Memorial Site</b>	
<p>5. To minimise the impact of the action on <b>protected matters</b>, prior to the <b>commencement of the action</b>, the <b>approval holder</b> must:</p> <ul style="list-style-type: none"> <li>a. Prepare a photographic archival record of the existing landscape and built features of the whole Memorial site prior to <b>commencement of the action</b> and throughout the development process in accordance with the document <b>Photographic Recording of Heritage Items Using Film or Digital Capture (NSW Heritage Office, 2006)</b>. The archival record must be made available to the public by being permanently published on the <b>website</b> as a minimum.</li> <li>b. Conduct a research project to document the public's interpretation of historic elements of the site to allow the interpretation of the architectural development of the site.</li> <li>c. Conduct a research project to document record and archive the public memories of Anzac Hall from designers, veterans and visitors and make the archive publicly available.</li> </ul>	71a-c, 143b, Table 1, Table 3
<b>Specific Building Design Requirements</b>	
<p>6. To minimise the <b>impacts</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must ensure all detail design is consistent with the requirements of:</p> <ul style="list-style-type: none"> <li>a. <b>National Heritage values of the Australian War Memorial and the Memorial Parade.</b></li> <li>b. <b>Commonwealth Heritage values of the Australian War Memorial.</b></li> </ul>	71f, 93b, Table 3, Table 6, Table 8

<p>c. <b>Commonwealth Heritage values of the Parliament House Vista.</b></p> <p>d. <b>National Heritage Management Principles</b></p> <p>e. <b>Commonwealth Heritage Management Principles</b></p>	
<p>7. To minimise the <b>impacts</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must ensure that the apex of the <b>Glazed Link</b> and the roof of new Anzac Hall do not exceed RL 602.700m as shown in Attachment H1 of <b>Appendix B</b> (north elevation, east elevation, west elevation and section AA).</p>	127a, Table 9
<p>8. To minimise the <b>impacts</b> of the action on <b>protected matters</b> the <b>approval holder</b> must:</p> <p>a. Design, engineer and install a <b>Glazed Link</b> that can be removed without damage to the existing <b>Main Building</b> stone facade in the future if necessary.</p> <p>b. Ensure the <b>Glazed Link</b> roof must only attach to the <b>Main Building's</b> 1990's metal roof addition and the existing roof slab/structure underneath.</p> <p>c. Ensure the outline of the <b>Glazed Link</b> roof is installed to allow the parapet lines of the <b>Main Building</b> to be visible from Mount Ainslie.</p> <p>d. Maximise the transparency of the <b>Glazed Link</b> roof to promote the view of the northern facade of the <b>Main Building</b>. See Attachment H3 in <b>Appendix B</b>.</p>	76a, 76b, 127b, 127c, Table 4, Table 8, Table 9
<p>9. To minimise the <b>impacts</b> of the action on <b>protected matters</b> the <b>approval holder</b> must:</p> <p>a. Ensure the Oculus dome is constructed of low reflectivity glass (maximum external reflectivity of 10%).</p> <p>b. Ensure the Oculus dome height does not exceed 400mm above the <b>forecourt</b> ground level.</p> <p>c. Ensure the angled flat bronze handrail surrounding the Oculus does not exceed 750mm in height from <b>forecourt</b> ground level and does not contain glass infill.</p> <p>d. Ensure the surrounding stone kerb is 250mm in height from <b>forecourt</b> ground level (see Page P-32 of <b>Appendix A</b>).</p>	64a, 126b, Table 1, Table 2, Table 8, Table 9
<p>10. To minimise the <b>impacts</b> of the action on <b>protected matters</b> the <b>approval holder</b> must:</p> <p>a. Ensure that the external glass lift is constructed of low reflectivity glass (maximum external reflectivity of 13%) with a frameless glass facade as shown on pages P-20 and P-23 of <b>Appendix A</b>.</p>	62, 126b, Table 1, Table 2, Table 8, Table 9

<p>b. Ensure that the lift is designed, specified and operated to automatically return to below <b>forecourt</b> level position when not in use to minimise visual impact along the <b>Parliament House vista</b>.</p> <p>c. Ensure that landscaping to the height of the lift framing is implemented and maintained at the southern and northern sides of the glass lift to further minimise <b>impacts</b>.</p>	
<b>Other Measures to Mitigate Heritage Impacts</b>	
<p>11. To minimise the <b>impacts</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must train staff and volunteers to assist visitors to understand and appreciate the importance of the ability to view the <b>Main Building</b> northern facade when viewed within the <b>Glazed Link</b> in relation to the <b>National Heritage values of the Australian War Memorial and the Memorial Parade</b> and the <b>Commonwealth Heritage values of the Australian War Memorial</b>.</p>	76c, Table 4, Table 8
<p>12. To minimise the impact of the action on <b>protected matters</b> and to retain the primacy of the existing <b>Main Building</b> entrance recognised in the <b>National Heritage values of the Australian War Memorial and the Memorial Parade</b> and the <b>Commonwealth Heritage values of the Australian War Memorial</b>, the <b>approval holder</b> must:</p> <p>a. Retain the use of the existing main entrance to the <b>Main Building</b> at the <b>completion of the action</b> for all visitors in the same manner as entry was undertaken prior to the <b>commencement of the action</b>.</p> <p>b. Retain modest cloaking/security services at the existing entrance to ensure visitors can still access this entrance directly.</p> <p>c. Erect signage to include an option for visitors to proceed directly between the carparks and the existing <b>Main Building</b> entrance;</p> <p>d. Ensure visitor engagement technology at the <b>new Southern Entrance</b> supports the understanding of the history and importance of entering the <b>Commemorative Area</b> through the existing <b>Main Building</b> entrance.</p> <p>e. Train staff and volunteers to assist visitors to understand and appreciate the importance of the existing <b>Main Building</b> entrance</p>	61, Table 2, Table 8
<p>13. To minimise the <b>impacts</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must use materials sympathetic in colour, finish and design to the Australian War Memorial's existing built heritage <b>fabric</b> and vistas for all new buildings and extensions.</p>	71e, 93c, 126c, Table 3, Table 6, Table 8, Table 9
<p>14. To minimise the <b>impacts</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must finalise the building design for each of the following elements prior to commencing <b>construction</b> of that element:</p> <ul style="list-style-type: none"> <li>○ C.E.W Bean Building extension and Research Centre building finishes and heights</li> <li>○ New Anzac Hall building and roof finishes</li> </ul>	62b, 64b, 71g, 77, 87, 94, 126e, Tables 1 to 6, Table 8 and Table 9

<ul style="list-style-type: none"> <li>○ <b>Glazed Link</b> roof material and finish</li> <li>○ Handrail design and finish at <b>Main Building</b> front entry stairs</li> <li>○ <b>Main Building</b> internal stair design and finish</li> <li>○ <b>Glazed link</b> attachment to <b>Main Building</b></li> <li>○ Oculus detail design and handrail finish</li> <li>○ Glass lift detail design</li> <li>○ Final Parade Ground layout</li> <li>○ Final design of any other currently unresolved detailing</li> </ul> <p>The <b>approval holder</b> must notify the <b>Department</b> in writing of the final design and/or finishes of each of the above listed elements prior to commencing <b>construction</b> of each element and provide written evidence that the design and/or finishes are supported by the National Capital Authority (NCA).</p>	
<p>15. To minimise the <b>impacts</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must:</p> <ul style="list-style-type: none"> <li>a. Seek the advice of a <b>suitably qualified heritage landscape architect</b> to undertake a heritage impact assessment of the <b>landscape and public realm</b> design at 'detailed design' stage to ensure the landscape character of the site is maintained.</li> <li>b. Include in the heritage impact assessment of the <b>landscape and public realm</b> works an assessment of any commemorative unit memorial plaques that require relocation as a result of <b>landscape and public realm</b> works.</li> <li>c. Provide, the heritage impact assessment of the <b>landscape and public realm</b> design to the <b>Department</b> for information and publish it on the <b>website</b> prior to commencement of <b>landscape and public realm</b> works.</li> </ul>	85, 86, 93a, 126d, Table 1, Tables 5, 6, 8 and 9
<p>16. To minimise <b>impacts</b> on <b>protected matters</b> the <b>approval holder</b> must reuse and repurpose as much of the original Anzac Hall building material as practicable consistent with the <b>National Waste Action Plan 2019</b>.</p>	71d, 152, Table 3
<p>17. To minimise <b>impacts</b> of the action on <b>protected matters</b>, the <b>approval holder</b> must:</p> <ul style="list-style-type: none"> <li>a. Ensure that all works to the Australian War Memorial maintains the nature of commemoration identified in Criterion (b) of the <b>National Heritage values of the Australian War Memorial and the Memorial Parade</b> and the <b>Commonwealth Heritage values of the Australian War Memorial</b>. This is recognised in equal parts in the relationship between the building, the collection of objects and records and the commemorative spaces.</li> <li>b. Demonstrate within 6 months of the <b>commencement of the action</b>, in writing to the <b>Minister</b> how the finalised site and gallery plan will maintain the nature of commemoration identified in Criterion (b) of the</li> </ul>	98-100

<p><b>National Heritage values of the Australian War Memorial and the Memorial Parade and the Commonwealth Heritage values of the Australian War Memorial.</b></p>	
<p>18. To minimise the impacts of the action on <b>protected matters</b>, the <b>approval holder</b> must implement the revised Parade Ground layout with an area of gravel consistent with the existing Parade Ground area and stone terraced seating not exceeding the lengths shown in Figure 3.</p>	<p>84, 126f, Table 1, Table 5, Table 8, Table 9</p>
<p><b>Part B – Standard administrative conditions</b></p>	
<p><b>Notification of date of commencement of the action</b></p>	
<p>19. The <b>approval holder</b> must notify the <b>Department</b> in writing of the date of <b>commencement of the action</b> within 10 <b>business days</b> after the date of <b>commencement of the action</b>.</p>	
<p>20. If the <b>commencement of the action</b> does not occur within 10 years from the date of this approval, then the <b>approval holder</b> must not <b>commence the action</b> without the prior written agreement of the <b>Minister</b>.</p>	
<p><b>Compliance Records</b></p>	
<p>21. The <b>approval holder</b> must maintain accurate and complete <b>compliance records</b>.</p>	
<p>22. If the <b>Department</b> makes a request in writing, the <b>approval holder</b> must provide electronic copies of <b>compliance records</b> to the <b>Department</b> within the timeframe specified in the request.</p> <p><b>Note:</b> <b>Compliance records</b> may be subject to audit by the <b>Department</b> or an independent auditor in accordance with section 458 of the <b>EPBC Act</b>, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the <b>Department's</b> website or through the general media.</p>	
<p><b>Annual compliance reporting</b></p>	
<p>23. The <b>approval holder</b> must prepare a <b>compliance report</b> for each 12-month period following the date of <b>commencement of the action</b>, or otherwise in accordance with an annual date that has been agreed to in writing by the <b>Minister</b>. The <b>approval holder</b> must:</p> <ol style="list-style-type: none"> <li>publish each <b>compliance report</b> on the <b>website</b> within 60 <b>business days</b> following the relevant 12-month period;</li> <li>notify the <b>Department</b> by email that a <b>compliance report</b> has been published on the <b>website</b> and provide the weblink for the <b>compliance report</b> within five <b>business days</b> of the date of publication including documented evidence of the date of publication;</li> <li>keep all <b>compliance reports</b> publicly available on the <b>website</b> until this approval expires;</li> <li>exclude or redact <b>sensitive data</b> from <b>compliance reports</b> prior to publishing them on the <b>website</b>; and</li> <li>where any <b>sensitive data</b> has been excluded from the version published, submit the full <b>compliance report</b> to the <b>Department</b> within 5 <b>business days</b> of publication.</li> </ol> <p><b>Note:</b> <b>Compliance reports</b> may be published on the <b>Department's</b> website.</p>	
<p><b>Reporting non-compliance</b></p>	
<p>24. The <b>approval holder</b> must notify the <b>Department</b> in writing of any: <b>incident</b>; or non-compliance with the conditions. The notification must be given as soon as practicable, and no later than two <b>business days</b> after becoming aware of the <b>incident</b> or non-compliance. The notification must specify:</p>	

- a. any condition which is or may be in breach;
- b. a short description of the **incident** and/or non-compliance; and
- c. the location (including co-ordinates), date, and time of the **incident** and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.

25. The **approval holder** must provide to the **Department** the details of any **incident** or non-compliance with the conditions as soon as practicable and no later than 10 **business days** after becoming aware of the **incident** or non-compliance, specifying:

- a. any corrective action or investigation which the **approval holder** has already taken or intends to take in the immediate future;
- b. the potential **impacts** of the **incident** or non-compliance; and
- c. the method and timing of any remedial action that will be undertaken by the **approval holder**.

#### **Independent audit**

26. The **approval holder** must ensure that **independent audits** of compliance with the conditions are conducted as requested in writing by the **Minister**.

27. For each **independent audit**, the **approval holder** must:

- a. provide the name and qualifications of the independent auditor and the draft audit criteria to the **Department**;
- b. only commence the **independent audit** once the audit criteria have been approved in writing by the **Department**; and
- c. submit an audit report to the **Department** within the timeframe specified in the approved audit criteria.

28. The **approval holder** must publish the audit report on the **website** within 10 **business days** of receiving the **Department's** approval of the audit report and keep the audit report published on the **website** until the end date of this approval.

#### **Completion of the action**

29. Within 20 days after whichever is the earlier of:

- a. the **completion of the action**, or
- b. 60 business days before the end date of the period for which this approval has effect,

If the action has been completed within the period for which the approval has effect, the **approval holder** must notify the **Department** in writing of the date of the **completion of the action** and provide **completion data**.

If the **completion of the action** is unlikely to occur before the end date of the period for which the approval has effect, the **approval holder** must submit to the **Department**, before the end date of the period for which the approval has effect, a request, in accordance with the requirements of section 145C of the **EPBC Act**, to extend the period of effect of the approval.

**Definitions:**

In these conditions, except where contrary intention is expressed, the following definitions are used:

**Approval Holder** means the person to whom this approval is granted, or the person as transferred under section 145B of the **EPBC Act**.

**Australian Heritage Council** means the Australian Heritage Council as established under section 4 of the *Australian Heritage Council Act 2003*.

**Business day(s)** means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action.

**Clearing/Clearance** means the cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but not including weeds – see the *Australian weeds strategy 2017 to 2027* for further guidance)

**Commemorative Area** means the area at the top of the main stairs of the original front entrance to the Main Building consisting of the Menin Gate Lions, the Commemorative Courtyard, Pool of Reflection, the Eternal Flame, the Roll of Honour and the Commemorative Roll.

**Commencement of the action/commence the action** means the first instance of any activity associated with the action including **clearing** and **construction**. **Commencement of the action** does not include minor physical disturbance necessary to:

- i. undertake pre-clearance surveys or monitoring programs;
- ii. install signage and /or temporary fencing to prevent unapproved use of the project area;
- iii. protect environmental and property assets from fire, weeds and pests, including erection of temporary fencing, and use of existing surface access tracks;
- iv. install temporary site facilities for persons undertaking pre-commencement activities so long as these are located where they have no impact on the **protected matters**; and
- v. undertaking geotechnical investigations if it causes only minor physical ground disturbance and is required well in advance of most site works to inform design.

**Commonwealth Heritage Management Principles** means the guiding framework for excellence in managing heritage properties. They set the standard and the scope of the way places should be managed in order to protect heritage values for future generations. These principles should be used when preparing and implementing management plans and programs. In the absence of a management plan, they should guide the management of heritage values of a property: [Commonwealth Heritage Management Principles](#).

**Commonwealth Heritage values of the Australian War Memorial** means the Commonwealth Heritage listed values of the place: [Commonwealth Heritage values of the Australian War Memorial](#).

**Commonwealth Heritage values of the Parliament House Vista** means the Commonwealth Heritage listed values of the Parliament House vista: [Commonwealth Heritage values of the Parliament House Vista](#).

**Completion data** means a report and spatial data clearly detailing how the conditions of this approval have been met. The **Department's** preferred spatial data format is **shapefile**.

**Completion of the action** means all activities associated with the action have permanently ceased

**Compliance records** means all documentation or other material in whatever form required to demonstrate compliance with the conditions of approval in the **approval holder's** possession or that are within the **approval holder's** power to obtain lawfully.

**Compliance report(s)** means written reports:

- i. providing accurate and complete details of compliance, **incidents**, and non-compliance with the conditions;
- ii. consistent with the **Department's Annual Compliance Report Guidelines (2014)**; and
- iii. that include a **shapefile** of any **clearance** of any **protected matters**, or their habitat, undertaken within the relevant 12-month period.

**Construction** means the erection of a building or structure that is or is to be fixed to the ground and wholly or partially fabricated on-site; the alteration, maintenance, repair or demolition of any building or structure; preliminary site preparation work which involves breaking of the ground (including pile driving); the laying of pipes and other prefabricated materials in the ground, and any associated excavation work; but excluding the installation of temporary fences and signage. Construction does not include geotechnical studies.

**Department** means the Australian Government agency responsible for administering the **EPBC Act**.

**EPBC Act** means the *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*.

**Fabric** means all the physical material of an item which contributes to its heritage significance.

**Forecourt** refers to the paved area at the base of the main stairs leading to the original **Main Building** entrance.

**Glazed Link** means the glass walled structure between the rear of the Main Building and the new Anzac Hall.

**Impact(s)** (verb) means to cause any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action. **Impact** (noun) means any measurable direct or indirect disturbance or harmful change as a result of any activity associated with the action.

**Incident** means any event which has the potential to, or does, impact on one or more **protected matter(s)** other than authorised by this approval.

**Independent audit(s)** means an audit conducted by an independent and **suitably qualified person** as detailed in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines* (2019).

**Landscape and Public Realm** means the works to the surrounding landscape of the site including modifications to pathways and plantings, external seating and small shade structures and changes to onsite road layout.

**Main Building** means the original sandstone Memorial building built in 1941.

**Minister** means the Australian Government Minister administering the **EPBC Act** including any delegate thereof.

**National Heritage Management Principles** means the guiding framework for excellence in managing heritage properties. They set the standard and the scope of the way places should be managed in order to protect heritage values for future generations: [National Heritage Management Principles](#).

**National Heritage values of the Australian War Memorial and the Memorial Parade** means the National Heritage listed values of the place: [national heritage values of the Australian War Memorial and the Memorial Parade](#).

**New Southern Entrance** means the proposed works at the front, within and below the existing **Main Building** entrance.

**National Waste Action Plan 2019** means the targets and actions to implement the 2018 National Waste Policy: [National Waste Action Plan 2019](#).

**Parliament House Vista** means the Commonwealth Heritage listed views from Parliament House: [Commonwealth Heritage values of the Parliament House Vista](#).

**Photographic Recording of Heritage Items Using Film or Digital Capture (NSW Heritage Office, 2006)** means the publication providing guidelines for making a photographic record of sites, buildings, structures and movable items of heritage significance, published by the NSW Government: [Photographic Recording of Heritage Items Using Film or Digital Capture \(NSW Heritage Office, 2006\)](#).

**Protected matter(s)** means a matter protected under a controlling provision in Part 3 of the **EPBC Act** for which this approval has effect. For this approval **protected matters** are:

- The [national heritage values of the Australian War Memorial and the Memorial Parade](#) (National Heritage Place – Section 15B and 15C of the **EPBC Act**).
- The whole environment of the site due to the action by a Commonwealth Agency (S28 of the EPBC Act), this includes [Commonwealth Heritage values of the Australian War Memorial](#) and the [Commonwealth Heritage values of the Parliament House Vista](#).

**Sensitive data** includes locations of sensitive heritage items, names and addresses of people consulted on heritage matters unless permission is sought from the parties consulted.

**Shapefile** means location and attribute information of the action provided in an Esri shapefile format. Shapefiles must contain '.shp', '.shx', '.dbf' files and a '.prj' file that

specifies the projection/geographic coordinate system used. Shapefiles must also include an '.xml' metadata file that describes the shapefile for discovery and identification purposes.

**Suitably qualified expert** means a person who has professional qualifications and at least three (3) years of work experience designing and implementing heritage renovation and restoration of masonry buildings, and can give an authoritative assessment and advice on the methods for recording prior to disassembly, safe storage of components and successful reinstatement using relevant protocols, standards, methods and/or literature.

**Suitably qualified heritage landscape architect** means a person who has professional qualifications and at least three (3) years of work experience designing and implementing landscape designs for heritage places, and can give an authoritative assessment and advice on the heritage value of the landscape design using relevant protocols, standards, methods and/or literature.

**Suitably qualified person** means a person who has professional qualifications, training, skills and/or experience related to the nominated subject matter and can give authoritative independent assessment, advice and analysis on performance relative to the subject matter using the relevant protocols, standards, methods and/or literature.

**Towers** are the two sandstone columns that form part of the **Main Building**, standing either side of the original **Main Building** entrance.

**Website** means a set of related web pages located under a single domain name attributed to the **approval holder** and available to the public.

#### **APPENDICES** (to the conditions)

1. APPENDIX A – New Southern Entrance Design Response- Attachment G to final Preliminary Documentation September 2020 (**Attachment C7** to Proposed Decision Brief).
2. APPENDIX B – Anzac Hall and Glazed Link Design Response – Attachment H to the final Preliminary Documentation September 2020 (**Attachment C8** to Proposed Decision Brief).

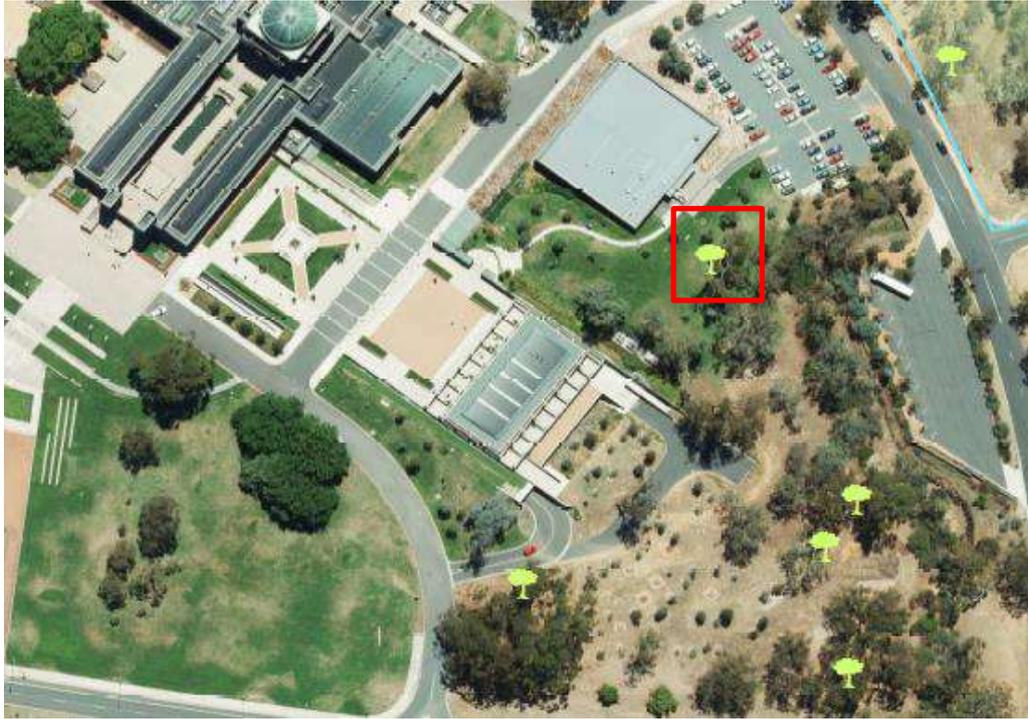


Figure 1:  
Hollow bearing  
tree to be  
removed (in  
red box)



Figure 2:  
Known  
Indigenous  
Heritage site  
(unlisted) to  
be protected  
during  
construction—  
AWM 1

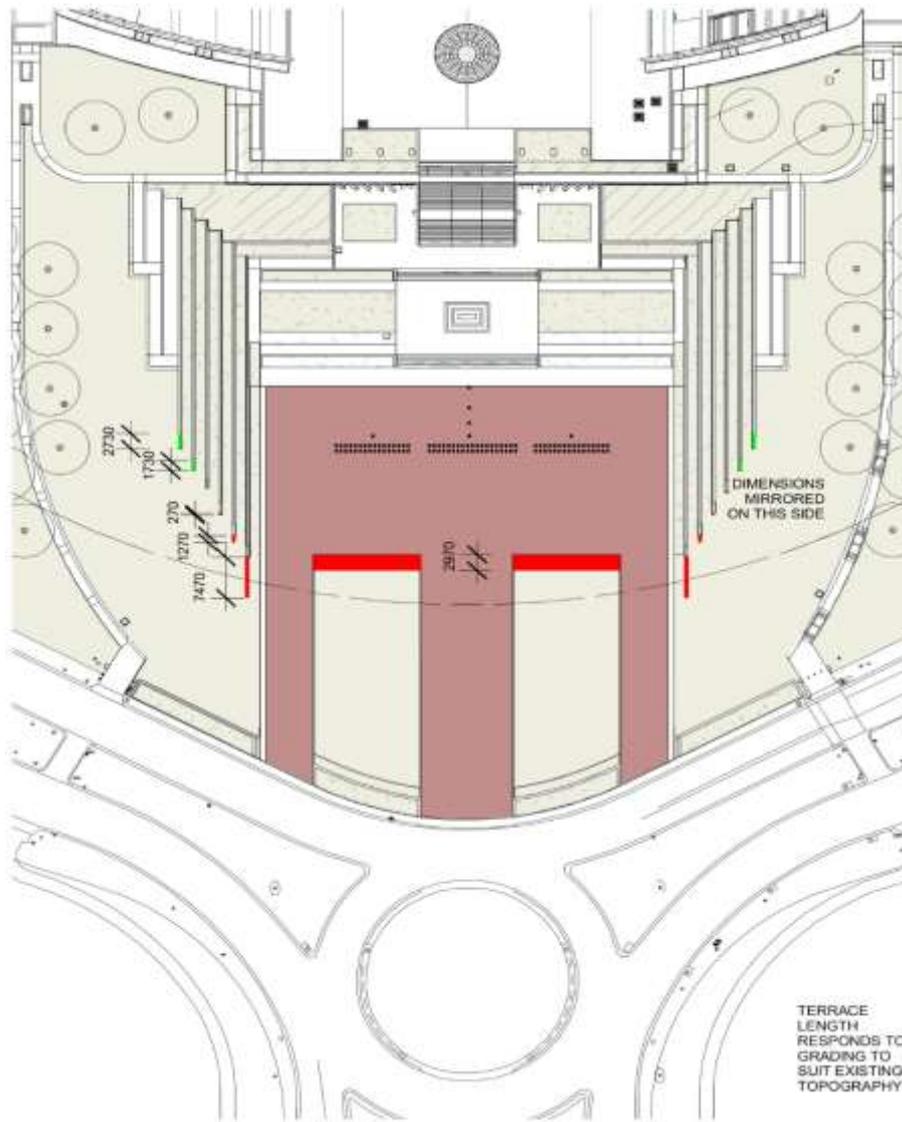


Figure 3:  
Parade Ground  
design changes  
– removed  
areas in red,  
added areas in  
green

## **Background**

### **Description of the project and location**

#### **Project Background and location**

1. The proponent, referred to as the Australian War Memorial (AWM) proposes to develop the existing site to address the current constraints in available display spaces (including provision for future display space) and visitor amenity (the proposed action).
2. The site of the Australian War Memorial, referred to as the Memorial, is located on Block 3, Section 39 in Campbell, the Australian Capital Territory (ACT). It is located at the foothills of Mount Ainslie, at the terminus of Anzac Parade. The site is highly modified for its existing function.
3. The Commonwealth Government established the Memorial in 1925 as 'a national memorial to Australians who had died in the Great War'. The main Memorial building was opened in 1941 during the height of the Second World War. The site has evolved over time with recent developments such as the Administration Building (1988), Anzac Hall (2001), the C.E.W. Bean Building (2006), and the balance of the Eastern Precinct including Poppy's Cafe (2010). The site plan of the Memorial is at Figure 1.
4. The site was listed on the Commonwealth Heritage List (CHL) in 2004 and on the National Heritage List (NHL) in 2006 for its historic heritage values. The site is also part of the significant views recognised in the Commonwealth Heritage listed Parliament House vista (listed 2004).
5. On 1 November 2018, the Australian Government approved the further investigation and design of the proposed action, including the need for a referral and assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to support the final business case.



**Figure 1:**  
Memorial site plan  
and precinct  
as at  
October  
2019

### Project Description

6. The four key reasons for the need for the project, as stated in the Preliminary Documentation in **Attachment C**, are summarised below.
  - a) A lack of capacity to provide equitable coverage of conflicts and operations as required by the *Australian War Memorial Act 1980*. In the past ten years there have been incremental increases in gallery space by regularly readjusting configurations, but the returns are increasingly limited.
  - b) A lack of capacity to describe a broader description of war – The AWM states that visitor feedback demonstrates a community interest in more diverse contexts of war such as the efforts made by the Australian Defence Force and other agencies to avoid war. There is currently inadequate space to respectfully and equitably describe the broader context of war.
  - c) A lack of circulation space – the Memorial's visitor numbers have significantly grown over time and the circulation space within the Main Memorial Building (Main Building) has remained the same or decreased as spaces intended for circulation have been converted into gallery space.
  - d) Poor accessibility and access – the Memorial's visitor demographic includes a higher number of older people and people with a disability including elderly veterans. The AWM states it has not previously had the funding to be able to fully address the lack of compliance with the *Disability Discrimination Act 1992*. Combined with the lack of circulation space, poor access has often made the

journey for visitors with accessibility requirements difficult and detracted from the experience of visiting the Memorial.

7. The redevelopment will include: a new Southern Entrance below the existing forecourt, expansion of the Parade Ground, demolition of existing Anzac Hall, construction of a new Anzac Hall, construction of a Glazed Link (to enclose the space between the rear of the Main Building and the new Anzac Hall), extension and refurbishment of the C.E.W. Bean Building, construction of a new Research Centre and public realm and landscaping works. See Figure 2 below for overall view of the completed proposed action.



**Figure 2:** Proposed Redevelopment -completed works

### *New Southern Entrance*

8. A new Southern Entrance is proposed to be built below the existing forecourt for security screening, added display space and visitor functions (including a 250-person theatre, function room, bookshop and public amenities). The new entrance will be flanked by two sunken approaches from the eastern and western arrival courtyards.
9. The existing forecourt, stairs and entrance will remain as a primary entrance for visitors and during ceremonies as it is currently.
10. The New Southern Entrance will have direct path access from the western surface car park and be immediately connected to the underground carpark to the east via a ramp.

- 11. A glass lift is proposed at the eastern side of the New Southern Entrance to provide access to and from the forecourt level (See Figure 4 below).
- 12. Two new stairwells will be constructed either side of the top of the stairs in the lower level of the Main Building. The stairwells will direct visitors to the Pool of Reflection and Roll of Honour.
- 13. A glass Oculus is proposed to sit in the forecourt above the underground New Southern Entrance. This will create a visual connection from the New Southern Entrance to the front of the Main Building. It is also intended to provide orientation and to reinforce the primacy of the north-south axis. The Oculus is an inverted glass funnel that will be covered with a glass dome at the forecourt level. For safety, the dome of the Oculus will be surrounded by a concrete kerb and metal handrail at the forecourt level. See Figure 3 below and **Attachments C6 and C7** for detail renders of the New Southern Entrance.



**Figure 3:** New Southern Entrance – view from the eastern entry

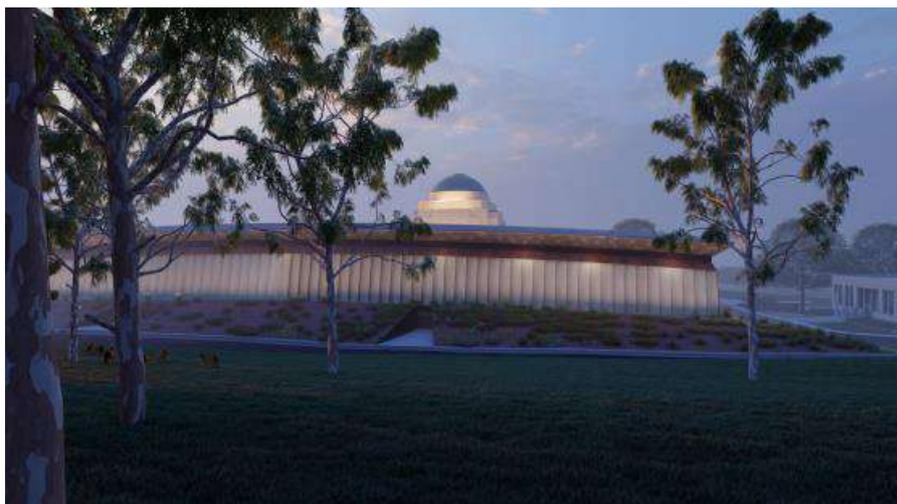


**Figure 4:** New Southern Entrance – view of the Oculus to the Dome

Glass lift

*Anzac Hall and the Glazed Link*

14. The AWM proposes to demolish and replace the existing Anzac Hall, which will be connected to the Memorial's Main Building with a Glazed Link.
15. The new Anzac Hall, proposed to be larger than the current one, would be a two-level purpose-built facility for exhibitions, including the display of large technology objects such as helicopters. The new Anzac Hall is to be constructed in the same location as the existing Anzac Hall, providing two thirds of the additional gallery space for the proposed action. The roof of Anzac Hall will be copper with a radiating pattern and is expected to weather to a green colour over time and compliment the bush setting of Mt Ainslie.
16. The new Glazed Link will enclose the space between the rear of the Main Building and the new Anzac Hall. The Glazed Link will involve the connection of glass walls and ethylene tetrafluoroethylene (ETFE) roof panels between the Main Building and the New Anzac Hall. It is proposed to provide a breakout place and additional gallery space at the mid-point of the exhibition journey of the visitor. The AWM states that there is no such space at the Memorial at present. See Figures 5 to 9 and **Attachments C6 and C8** for detailed renders of proposed Anzac Hall and Glazed Link.



**Figure 5:** New Anzac Hall northern facade



**Figure 6:** View of new Anzac Hall from north-west



**Figure 7:** View to Glazed Link and New Anzac Hall from the east



**Figure 8:** View within the Glazed link looking south to Main Building Dome



**Figure 9:** View of current Main Building rear from the west and current Anzac Hall. This space is proposed to be enclosed in the Glazed Link

*C.E.W. Bean Building and New Research Centre*

17. Administration functions will be relocated from the Main Building into the expanded C.E.W. Bean Building and new Research Centre adjacent to east of the Main Building. The National Collection Branch will be located to an area closer to the archives and loading dock and will directly connect to the new Research Centre.
18. The new Research Centre will relocate from the northern end of the Main Building into a new area adjacent to Poppy's Café (east of the Main Building). It will integrate with the C.E.W. Bean Building with secure access to the National Collection and promote the AWM's research function. See Figures 10 to 12 and **Attachments C6 and C9** for detailed renders.



**Figure 10:**  
View of the new  
Research  
Centre and  
Bean Building  
from Main  
Building  
forecourt



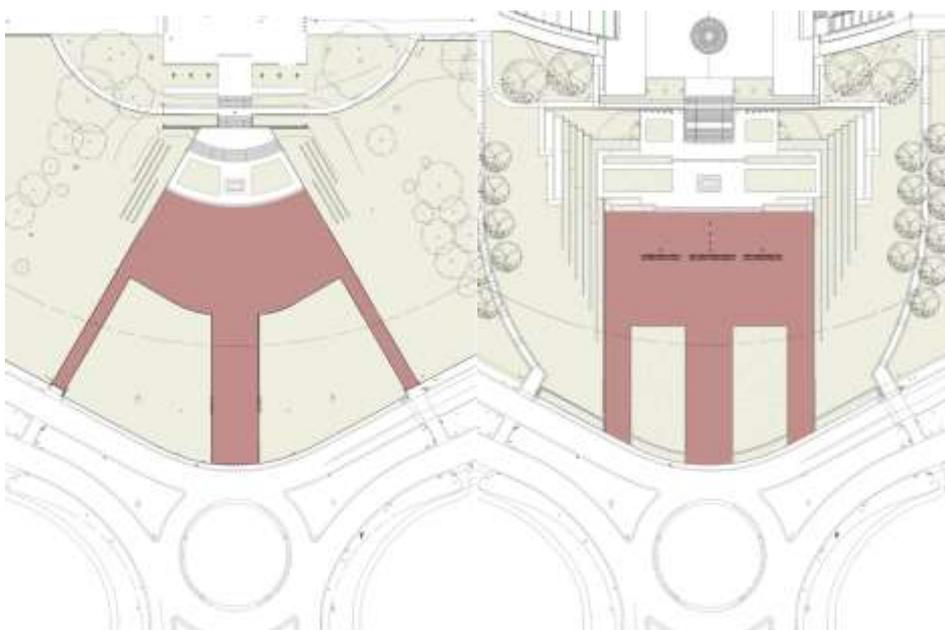
**Figure 11:**  
View of the front  
of the proposed  
Research  
Centre from the  
east



**Figure 12:**  
View from inside the proposed reading room in the Research Centre to the east

#### *Public Realm and landscaping works*

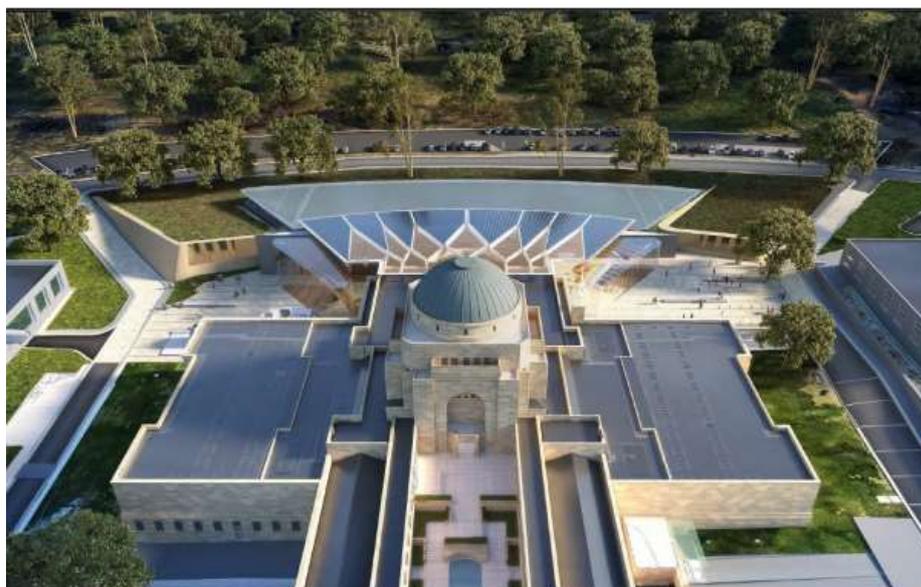
19. The public realm works include landscaping and improved pedestrian access links from the main car parking areas around the site to the New Southern Entrance and Parade Ground that address accessibility constraints to ensure the site is compliant with the *Disability Discrimination Act 1992*.
20. The Parade Ground will be re-shaped to return it to its original rectangular shape. The current splayed sides will be made parallel to Anzac Parade. The existing grass bank on the northern side, supporting the entrance terrace, will be made into a building façade, partly embedded in sloping grass at each end. Terrace seating will be improved for accessibility for visitors in wheelchairs. The existing stairs from the Parade Ground will be reconstructed in sandstone at a constant width. See Figure 13 for proposed change to Parade Ground shape and **Attachments C6 and C10** for Parade Ground and Public Realm renders.



**Figure 13:**  
Proposed change in shape of the Parade Ground (original to the left and proposed to the right)

Alternatives to the proposed action

21. The Preliminary Documentation (PD) considers options for the proposed redevelopment works, including not taking the action. Other options included; management-based options (e.g. reconfiguring existing floor space), leasing additional exhibition or storage space adaptive reuse of the existing buildings on site or construction of additional components.
22. Consideration of other options at this stage reinforced the importance of the Campbell site and its meaning in the commemorative function for the Australian people. The AWM therefore concluded that, for the Memorial to fulfil its functions as defined in the *Australian War Memorial Act 1980* and to meet future needs, construction and refurbishment of the Campbell site is the preferred option.
23. Following the decision to redevelop the existing Memorial site, four design options were selected to be developed. These were based on the location of a second entrance, location of new gallery space, whether the Glazed Link was included and the location of additional carparking. Consistent through each design option was the Main Building refurbishment (to be conducted later and subject to further government approvals if required), C.E.W. Bean Building refurbishment and extension and the construction of the new Research Centre. Detailed analysis of the different options is in section 4.4 of the PD.
24. The AWM then held a design competition (outlined in sections 4.5.2 to 4.5.5 of the PD).
25. For the Anzac Hall and Glazed Link designs, three entries proposed to replace Anzac Hall and one entry retained Anzac Hall (Figure 14). The selected design (by Architect Cox Architecture) replaced Anzac Hall and was considered to have strongly met all the assessment criteria. The AWM considered the design that retained Anzac Hall was not adequate as it did not provide the required flexibility and logistical capacity to support exhibition needs over the 50-100-year lifespan of the building. For the new Southern Entrance, the winning design by Scott Carver Architect was selected as it was considered to have strongly met all the assessment criteria.
26. The winning design from the competition was endorsed by the Australian War Memorial Council and referred to the Department.
27. The AWM states in its PD that heritage impacts were considered throughout the design process, along with technical and financial considerations.



**Figure 14:**  
Design entry that retained existing Anzac Hall – with east and west wing extensions and a Glazed Link

### **Controlling provisions, assessment approach and public consultation**

28. A valid referral was received on 19 November 2019 for consideration under the EPBC Act. The proposed action involved the new Southern entrance, re-profiled and expanded Parade Ground, the Glazed Link and the demolition and construction of a new Anzac Hall.
29. The referral was published on the Department's website on 19 November 2019 and public comments were invited until 3 December 2019. On 29 November it was noted that due to administrative error, Volume 2 of the Heritage Impact Assessment was not uploaded to the Department's website during the public comment period. This was amended on 29 November 2019 and a notification published stating that the public comment period would be extended until 13 December 2019. Fifteen public submissions were received on the referral. The public submissions mainly related to the negative impacts of the proposal on the National and Commonwealth Heritage values of the Memorial and the Parliament House vista.
30. The delegate for the Minister for Indigenous Australians responded to the invitation to comment on 27 November 2019 and noted that although local Indigenous stakeholders had been consulted it was recommended that the United Ngunnawal Elders Council, ACT Aboriginal and Torres Strait Islander Elected Body and Ngambri Local Aboriginal Lands Council also be consulted in relation to the proposed action. No responses were received in relation to the referral from other Commonwealth or State Ministers.
31. On 18 December 2019, the proposed action was determined a controlled action due to likely significant impacts on the heritage values of a National Heritage place (section 15B and section 15C) and the environment as the proposed action is a Commonwealth action (section 28). The assessment approach was determined on the same day to be by Preliminary Documentation (PD). On 24 December 2019, a request for further information to be included in the PD was sent to the AWM.
32. On 26 February 2020, the AWM submitted a formal request to vary the proposed action under section 156A of the EPBC Act. The variation included the additional components

of the full proposal not originally referred; the C.E.W. Bean Building Extension and Refurbishment, a new Research Centre, and public realm works. On 17 March 2020, a delegate accepted the variation. The variation allows all the components of the proposed development of the Memorial to be assessed together and ensure cumulative impacts are considered.

33. On 11 June 2020, the proponent submitted a draft PD that included the additional information the Department requested and revisions in response to the Department's adequacy review. This included justification for the alteration or permanent removal of building fabric, further information on the alternative designs considered, details of proposed avoidance and mitigation measures and further analysis of impacts on National and Commonwealth Heritage values of the Memorial and Parliament House vista. A Heritage Impact Statement was prepared for various components of the proposed action.
34. On 25 June 2020, the Department issued the proponent with a direction to publish the PD for public comment for 20 business days from 3 to 31 July 2020.
35. A total of 167 submissions were received. Of these, 99 submissions opposed the proposed action, 64 were in support and four were neutral. Generally, the architectural and heritage community raised concerns with heritage impacts, and the veteran community supported the need for the project to display more recent and under-represented conflicts. The AWM analysed the public submissions (**Attachment C3**) and a summary of issues is at **Attachment A1**. In summary:
  - a) The Architectural/Heritage Community is largely concerned with heritage impacts but also with the design development process and whether the re-development is needed.
  - b) Community Interest Groups commented mostly on heritage, process and design matters.
  - c) Contemporary Defence Families, or those with direct family members serving in the Defence Force, commented on the need for the project (mixed support) and heritage outcomes,
  - d) the Descendants Community, or those with family members who served in the Defence Force prior to 1975, commented most frequently on non-EPBC Act related matters, typically the cost of the project, but also spoke to heritage outcomes, future gallery content and the need for the project,
  - e) the General Public commented the most widely of all the groups on heritage matters and non-EPBC Act matters such as project cost,
  - f) Government comments were limited and focused on heritage matters, and
  - g) Veterans Community members, or those that are current or former members of the Defence Force, supported the need for the project and commented on heritage matters.

36. The AWM received a submission from the Australian Heritage Council (AHC). The Australian Heritage Council (AHC) is your principal, independent expert advisory body on heritage issues. The issues raised in the AHC submission and how the AWM responded to them are discussed in Table 1 below. The AHC stated that they did not support the conclusion in the PD that the proposed action will not have a serious impact on the listed heritage values of the Memorial.
37. The AWM prepared a summary of the issues raised and a Response to Submissions in accordance with section 95B of the EPBC Act for inclusion in the final PD. The submissions in full are at **Attachment F** of the Proposed Decision Brief. The Department considers that the AWM has responded to the issues raised in the public submissions in the Response to Submissions Report at **Attachment C3**. The AWM responded with changes to the PD, minor changes to the design of certain elements of the action and committed to further actions during the detailed design phase to minimise heritage impacts. However, the fundamental design of the original proposal has not changed.
38. The Department met with the AWM on 9 July 2020, 11 August 2020 and 4 September 2020 to discuss the heritage impacts of the proposal in relation to the following:
- a) the need for the glass lift at the New Southern Entrance and the reflection of the glass finish on the Parliament House vista,
  - b) the need for and finish of the Oculus in the forecourt of the Main Building and impact of the structure on the AWM front entrance and Parliament House vista,
  - c) the height of the Glazed Link and Anzac Hall roof above the parapet of the Main Building and impacts on the Parliament House vista,
  - d) the opacity finish of the Glazed Link roof and the impact along the Parliament House vista and visibility of the Main Building, and
  - e) the impact of the connection of the Glazed Link to the Main Building fabric.
39. On 29 September 2020, the proponent paid the Stage 3 and 4 cost recovery fees. On 1 October, the Department received the proponent's final PD and considered that the proponent had responded to the public comments received. The final PD and response to submissions document was placed on public exhibition for 10 days from 7 to 21 October 2020. In response to a request from members of the public (Heritage Guardians), the AWM agreed to also publicly exhibit all the submissions.
40. Given the complexity of the heritage matters, the timing to make an approval decision was extended on 10 November 2020 as additional advice was sought as to the application of the various heritage sections of the EPBC Act in relation to the Minister's decision under Part 9 of the EPBC Act. The statutory deadline for the final decision is 11 December 2020 to allow for the required 10-day consultation period under sections 131 and 131AA of the EPBC Act.

**Table 1:** Issues raised by the AHC submission and how the AWM has responded.

Issue Raised by AHC Submission	AWM Response	Department's Consideration
<p>The PD has not addressed options to expansion such as operational and other functional changes that could minimise the need for additional space i.e. technological methods of interpretation and museum display and a more sustainable visitation strategy</p>	<p>The AWM states in <b>Attachment C3</b> that it has made a number of changes to the existing space of the Memorial to house further displays of recent conflicts at the expense of circulation space, resulting in small under-represented exhibitions and there is little space left to re-purpose for galleries.</p> <p>Technological methods of interpretation are discussed in the PD at section 4.2.5. The AWM states that the recent Afghanistan War gallery is almost exclusively audio-visual due to lack of space. Using solely audio-visual technology does not adequately tell the stories of servicemen and women who have served our country nor provides the visitor a comprehensive understanding of the experience without the objects and written stories. The AWM also states that as the main visitation base is primarily interstate visitors, and with the amount of historical material available online, if visitors were satisfied with a solely audio-visual experience, they would not consider a visit to the Memorial.</p> <p>The AWM provided further information in the PD including gallery circulation plans, the gallery masterplan and examples of under-represented conflicts (<b>Attachment C5</b>).</p>	<p>The Department originally raised this issue for consideration by the AWM as part of the further information request for the PD following the controlled action decision. Given the information provided in the PD, the Department considers this issue has been sufficiently addressed.</p>
<p>Physical expansion for display of Large technology Objects (LTO's) is not sustainable over the long term without significantly impacting listed heritage values.</p>	<p>The AWM has provided justification in the PD including; a lack of capacity to provide equitable coverage of conflicts and operations, a lack of capacity to describe a broader description of war, a lack of circulation space and poor accessibility and access.</p> <p>The AWM states that it does not intend to display LTO's in greater numbers. LTO's play an important role in telling the broader picture and personal stories and many visitors' memorable moments are linked to objects such as the Lancaster aircraft.</p> <p>The AWM has provided further information in the PD including the Gallery Masterplan and examples of under-represented conflicts that require additional space to be equitable (<b>Attachment C5</b>). The AWM also commits to engaging with the community regarding future gallery content.</p>	<p>Given the additional information provided by the AWM on the need for the project, gallery plans and the role of LTO's in displays, the Department considers this has issues has been sufficiently addressed.</p>
<p>Impact on landscape and micro-setting of the Memorial has not been considered in terms of accretion of the proposed structural change within the Memorial site.</p>	<p>The AWM states that its Heritage Impact Assessment (HIA) provides an assessment of the impact on the landscape setting and considers that the landscape changes are sympathetic to the site, though care should be taken that the natural setting of the eastern precinct is not diminished. Additional information has been provided including concept plans of tree removal and replacement in relation to the proposed action (<b>Attachment C10</b>). As the landscape design of the</p>	<p>The Department's Historic Heritage Section (HHS) advice in relation to the landscape setting was that the development on the whole will have a significant and permanent impact on the nature of the AWM as a commemorative</p>

Issue Raised by AHC Submission	AWM Response	Department's Consideration
	site is still at concept phase, the AWM has committed to engaging a heritage landscape architect at the detailed design phase to ensure the landscape setting is maintained.	structure which has carefully designed relationships with its setting within a created landscape ( <b>Attachment E1b</b> ). The Department has recommended the requirement to engage a heritage landscape architect and conduct a heritage assessment at the detail design phase as condition 15. Given the proposed mitigation measures and recommended conditions, the Department considers this issue has been sufficiently addressed.
The PD has not addressed the impact on the heritage landscape from the expansion of the C.E.W. Bean Building and the reduction of natural space compromising the relationship between the natural bushland setting of the Memorial and its continuity with Mount Ainslie.	The HIA provides an assessment of the impact of the proposed action on the eastern precinct. Additional information has been provided including concept plans of tree removal and replacement in relation to the proposed action ( <b>Attachment C10</b> ). See above measures to address landscape setting issues. The reduction in natural space cannot be mitigated fully, however the detail design of the landscape setting can ensure the natural bushland setting is maintained particularly in the eastern precinct.	See above
The PD and HIA do not provide an assessment of the combined impacts of the proposed action on the landscape setting, including the impact of the Parade Ground.	The Parade Ground changes are proposed to aid military formations and viewing of events and ensures enough space to manoeuvre vehicles. The new sides of the Parade Ground will be aligned to be parallel to Anzac Parade and will return the Parade Ground to the 1941 rectilinear form. In response to public comments, the AWM has committed to reduce gravel area of the Parade Ground by 3 metres in the north/south direction and the length of the terraced seating, so that the area of gravel is now near equivalent to the existing gravel area.	The Department has recommended this amended design as condition 18 and condition 14 for the AWM to notify the Department and provide evidence that final Parade Ground layout design has been supported by the NCA. Given the proposed mitigation measures and recommended conditions, the Department considers this issue has been sufficiently addressed.
The AHC listed the following actions as having a negative impact on listed heritage values and should be reconsidered:	See individual responses below	
<ul style="list-style-type: none"> <li>The demolition of Anzac Hall</li> </ul>	The PD provides a comprehensive discussion on the need for a larger Anzac Hall and alternatives considered including designs that retained Anzac Hall (Section	Photographic archival recording of existing Anzac Hall, a research project

Issue Raised by AHC Submission	AWM Response	Department's Consideration
	4.4 of the PD). The AWM considers that to remain fit for purpose over the next 50-100 years Anzac Hall needs to be made bigger to equitably display material relating to all conflicts now and into the future. Early designs including consideration of the JPW Site Masterplan which retained Anzac Hall, involved significant changes to the southern entrance and the northern section of the Main Building which would have had significant impacts to Main Building fabric and were deemed not cost effective. Other designs which retained Anzac Hall did not provide the future functionality for gallery changes and upgrades over time. The Department considers the AWM has provided sufficient justification for why Anzac Hall is proposed to be demolished. New Anzac Hall will fulfil the same function as existing Anzac Hall and while its loss will impact on an element of NHL Criterion (e), other elements of the site will continue to express this value. The AWM has committed to photographic archival recording of existing Anzac Hall, a research project into the public memories and public interpretation of the proposed architectural changes to the site.	into the public memories and public interpretation of the proposed architectural changes to the site are reflected in proposed condition 5. Given the additional information provided in the PD on alternatives considered including the JPW Site Masterplan (which retains Anzac Hall) and the proposed mitigation measures and recommended conditions, the Department considers this issue has been sufficiently addressed.
<ul style="list-style-type: none"> <li>The redesign of the Parade Ground</li> </ul>	See above discussion regarding the Parade Ground	See above
<ul style="list-style-type: none"> <li>The inclusion of the Oculus – in terms of the impact on the direct line of access to the Main Building</li> </ul>	The AWM provided justification for its need, as a focal guide and connection of the New Southern Entrance with the Main Building by view of the dome through the Oculus ( <b>Attachment C7</b> ). To minimise the impact of the Oculus on the Main Building entrance, the AWM has reduced the Oculus dome height, reduced the surrounding kerb height, and modified the brass handrail and removed the glass infill to reduce impacts on the CHL listed Parliament House vista.	The Department also raised this issue, and the AWM was consulted regarding the need for and design of the Oculus. The design changes are reflected in proposed condition 9, and the AWM will notify the Department of the final design as supported by the NCA (Condition 14). Given the additional information provided in the PD, amended design and proposed conditions, the Department considers this issue has been sufficiently addressed.
<ul style="list-style-type: none"> <li>The inclusion of the external lift</li> </ul>	The AWM provided justification for the lift to provide equitable access for those with mobility issues, and the lift location was suitable in relation to transport arrival points and Poppy's café. The AWM also provided alternative finishes of the lift to reduce heritage impacts ( <b>Attachment C7</b> ). Low reflection glass finish was considered to have the least visual impact on the Parliament House vista if screened by landscaping, and if the lift was designed so the lift car would return to below forecourt level when not in use.	The Department also raised this issue, and the AWM was consulted regarding the need for and design of the lift. The design changes are reflected in proposed condition 10 and the AWM will notify the Department of the final design as supported by the NCA (Condition 14).

Issue Raised by AHC Submission	AWM Response	Department's Consideration
		<p>Given the additional information provided in the PD, the amended design and proposed conditions, the Department considers this issue has been sufficiently addressed.</p>
<ul style="list-style-type: none"> <li>The expansion of the C.E.W. Bean Building</li> </ul>	<p>The AWM provides reasoning for expanding the C.E.W. Bean Building is in section 5.5 of the PD. The C.E.W. Bean Building extension and new Research Centre will enable operational and non-critical administration functions to be relocated out of the Main Building so the Main Building can house more of the collection and displays. The extension and refurbishment will enable the relocation of the National Collection Branch to an area closer to the archives and loading dock and will directly connect to the Research Centre. This will significantly improve the function of the National Collection Branch. The primacy of the Main Building from a heritage and vista point of view has driven façade, colourisation, surface treatments and other visible design elements of the proposed C.E.W. Bean Building Extension and Research Centre.</p>	<p>The Department has recommended condition 14 for the AWM to notify the Department and provide evidence that the C.E. W. Bean Building extension and new Research Centre design has been supported by the NCA. Given the information provided in the PD for the need for the Bean Building extension and new Research Centre, and the proposed mitigation measures and conditions, the Department considers this issue has been sufficiently addressed.</p>

### State/Territory Assessment and Approval

41. As the site is within a 'Designated Area' under the National Capital Plan (NCP) the proponent will need to submit a works approval application to the National Capital Authority (NCA).
42. The site is owned by the AWM and is therefore Commonwealth Land.
43. The proposed action is by a Commonwealth Agency occurring on Commonwealth land, therefore approval from the ACT Government under the ACT *Planning and Development Act 2007* is not required.

### Assessment

44. Section 136(1) provides that in deciding whether or not to approve the taking of an action, and what conditions to attach to an approval, the Minister must consider the following, so far as they are not inconsistent with any other requirement of Subdivision B, Division 1 of Part 9 of the Act:
  - a) matters relevant to any matter protected by a provision of Part 3 that the Minister has decided is a controlling provision for the action;
  - b) economic and social matters.
45. In considering those matters, the Minister must take into account further factors—see section 136(2) of the EPBC Act. The Department's discussion of these factors is set out at paragraphs 164 – 173.

### **Mandatory Considerations – section 136(1)(a) Part 3 controlling provisions**

46. The proposal was determined a controlled action under the following controlling provisions of the EPBC Act:
  1. National heritage places (sections 15B and 15C); and
  2. Commonwealth action (section 28)<sup>1</sup>.
47. These controlling provisions are discussed respectively below. The discussion also incorporates advice from the Department's Historic Heritage Section (HHS) provided at both the referral (**Attachment E1b**) and assessment stages (**Attachment E1a**).
48. The Australian War Memorial and Memorial Parade is listed on the National Heritage List (NHL) and the Commonwealth Heritage List (CHL). The Memorial is listed under the NHL for the following criteria (a) events and processes, (b) rarity, (c) research, (e) aesthetic characteristics, (g) social value and (h) significant people. The Memorial is listed under the CHL for the following criteria; (a) processes, (b) rarity, (d) characteristic values, (e) aesthetic characteristics, (f) technical achievement, (g) social value and (h) significant people. Criteria (b) and (g) for both listings are similar and cover a broad range of values relating to the Memorial and are therefore discussed for both listings at

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<sup>1</sup> Note that under subsection 26(3)(f) and 27A(6)(e) of the EPBC Act, an action cannot have sections 26 and 27A (action on Commonwealth land) as controlling provisions in addition to section 28 (action by the Commonwealth).

paragraphs 98-100 in relation to the impact on the nature of commemoration (criterion (b)) and at paragraphs 130-136 in relation to the social heritage impacts (criterion (g)) of the proposed action.

49. Impacts to the NHL values are summarised below for each component of the proposed action. Following this is a discussion of the impacts of the proposed action on criterion (b). Criterion (b) recognises the nature of commemoration of the Memorial. This incorporates all aspects of the site and enables an assessment of cumulative impacts of the proposed action. Criterion (b) acknowledges the equal balance between the building, the collections and the commemorative spaces. The relationship of these aspects is also recognised in criterion (b) of the CHL values of the Memorial.
50. The Memorial is listed as part of the Commonwealth Heritage listed Parliament House vista. The impacts on the Commonwealth Heritage and National Heritage values are also part of the proposed action's impact on the whole of the environment for the purposes of s 28 of the EPBC Act.
51. The Department generated an Environmental Reporting Tool (ERT) Report on 29 October 2020 (**Attachment A2**). The ERT Report lists the Commonwealth and National Heritage listed places and other matters within a 2km radius of the proposed action. This confirms the National and Commonwealth Heritage listing of the AWM, and the Commonwealth Heritage listing of the Parliament House Vista are relevant to the proposed action. The Department does not consider the other Commonwealth Heritage listed places are likely to be impacted by the proposed action due to their proximity. The impact of the proposed action on matters such as threatened species is discussed under whole of environment impacts (section 28).

## **National Heritage places (sections 15B and 15C)**

### National Heritage values

52. The Australian War Memorial and the Memorial Parade (the place) was included on the NHL in 2006 (Place ID 105889) under section 324J of the EPBC Act for 'outstanding' heritage values that make it important to the Australian community as a whole.
53. The NHL values of the place relate to the Memorial's architectural, aesthetic, historical and social values. The Australian War Memorial is defined under the NHL to include: the Main Building and entrance including its architectural design, interior spaces, its setting including the surrounding landscape, the courtyard fabric, the Sculpture Garden, the collections, displays and records, the Hall of Memory, the Roll of Honour and Anzac Hall.
54. The place was listed on the NHL under Criteria set out in regulation 10.01A(2) of the *Environment Protection and Biodiversity Conservation Regulations 2000* (Cth) (NHL Criteria) : (a) (Events, Processes), (b) (Rarity), (c) (Research), (e) (Aesthetic characteristics), (g) (Social value) and (h) (Significant people). The full criteria under regulation 10.01A are set out in **Attachment A3**.
55. As a building with high architectural and aesthetic values, it is particularly sensitive to any activities that affect physical elements of the building.

56. The NHL values also recognise the importance of the Memorial as part of the Commonwealth Heritage listed Parliament House vista. To minimise repetition, the impacts of the proposed action on the Parliament House vista are discussed in paragraphs 123-128 and Table 9.

#### *New Southern Entrance*

57. The addition of the new Southern Entrance will involve the following key impacts to National Heritage values:

- a) The Main Building and courtyard fabric are recognised as elements of criterion (a) which contribute to the Memorial as being an outstanding national museum and memorial. There is a direct impact as fabric will be removed from the main stairs, entrance paving and forecourt, sandstone bastions and flagpoles. Fabric will also be removed for subterranean works and for the installation of internal lifts and stairwells.
- b) The Main Building fabric (recognised in criterion (a)) will also be impacted by the removal of the stone from the 1970's screen enclosing the air coolers at the north east of the Main Building.
- c) New fabric will be added to the New Southern Entrance in the form of the large stone blades along the subterranean entrance interspersed with glass. If the new fabric is not sympathetic to the original design, it will reduce the Memorial's ability to express the values in criterion (a). See site renders in **Attachments C6 and C7**.
- d) Construction of the subterranean connection of the New Southern Entrance could pose a structural risk to the Main Building and if not managed appropriately could impact the Main Building fabric and the values in criterion (a).
- e) Reduced primacy of the original front entrance to the Main Building will impact on the demonstration of the commemorative design and memorial experiences created by the nature and accessibility of the existing entrance (criteria (a), (e), and (g)). The progression through the original entrance, past the medieval stone lions and into the central courtyard and other commemorative spaces is a designed sequence to bring visitors through an equivalent emotional progression from the exterior into spaces of reflection and commemoration.
- f) Reflection from the new external glass lift will impact on aesthetic values associated with the Main Building and surrounding landscape including the Parliament House vista (criterion (e)).
- g) Reflection and height of the glass oculus dome and visual clutter of the handrail surrounding the oculus will impact on aesthetic values associated with the Main Building and the original front entrance and surrounding landscape including the Parliament House vista (criterion (e)).

#### *Mitigation Measures*

58. The PD sets out the following mitigation measures to minimise the impacts of the New Southern Entrance works on the NHL values. As detailed below, the Department

recommends that the proposed conditions of approval require the proponent to implement these measures.

59. Main Building fabric will be mitigated by the measures outlined below and in detail in **Attachment C7**, to reduce the impact of the proposed action on the aesthetic values in criterion (a) and recommended as proposed conditions:
- a) Fabric of the Main Building removed will be logged and tagged to its original location, transported, stored and reinstated. As-built condition will be documented of the existing handrail, forecourt, main entry stairs, entry paving and sandstone bastions (Condition 1).
  - b) Weather damaged stone encountered during the front entrance works will be replaced where possible with stone recovered from the removal of the 1970's stone enclosure around the air-coolers at the north-east corner of the Main Building. This will depend on stone condition.
  - c) For stone that cannot be recovered, the AWM has committed to source replacement stone from the same quarry utilised to source the original building and forecourt stone so that it weathers to match the Main Building stone (Condition 2). The Department has recommended the requirement to source stone that has a visual and textural appearance consistent with the existing stone if stone cannot be sourced from original quarries.
60. Structural risk to the Main Building will be managed and monitored by the measures below and in detail in **Attachment C7**. The Department recommends proposed conditions of approval (condition 3) require the proponent to implement these measures to reduce the impact on criterion (a):
- a) Engage qualified heritage stone consultant to oversee demolition, manage stone removal and reinstatement, advise on procedures to handle and monitor impacts to Main Building fabric and provide ongoing advice during construction
  - b) Engage a structural engineer to conduct inspections to minimise impacts to the Main Building fabric.
  - c) Install sensors in Main Building to detect structural movement and implement contingency measures if impacts are detected.
  - d) Establish a minimum 1.5m heritage buffer along the southern façade of the Main Building, underpinning of the towers for further structural integrity of the Main Building and identifying contingency measures in the case that structural impacts to the Main Building are detected.
61. While the existing main entrance will remain, visitors will mainly use the new Southern Entrance. The new Southern Entrance will improve visitor arrival experience, support enhanced visit planning and orientation and provide universal equitable access. By locating security, bag check and other facilities at the lower Southern Entrance, the entrance space of the main level will be less cluttered. The solemnity of the Commemorative Area will also be increased as there will be less visitor processing through bag checking or coming from the current bookshop. The impact on criteria (a),

(e) and (g) will be mitigated by the following measures which the Department recommends as part of the conditions of approval (condition 12):

- a) Retain the use of the existing main entrance to the Main Building
- b) Retain modest cloaking/security services at existing entrance
- c) Erect signage for visitors to proceed directly between the carparks and the main entrance.
- d) Visitor engagement technology to support the understanding of the history and importance of entering the Commemorative Area through the original Main Building entrance.
- e) Train staff and volunteers to assist visitors to understand and appreciate the importance of the existing Main Building entrance.
- f) The daily Last Post ceremony will continue to be held at the original main entrance which will promote its significance (part of existing operations, not included as condition 12).

62. The external glass lift provides equitable access to all three levels; the ground plane, the basement carpark and the New Southern Entrance. The proposed lift also provides connection from (and to) Poppy's Café and the Bean Building and connection from vehicle drop off and bus parking in front of Poppy's café. The lift site is located adjoining the primary stair within the Eastern Courtyard so that all visitors arrive and depart in a similar location in order to comply with the *Disability Discrimination Act 1992*. The Department considers the need for the lift has been justified (**Attachment C7**). The impact on criterion (e) will be mitigated by the measures below. The Department recommends that the conditions of approval require the proponent to implement the mitigations measures (as condition 10):

- a) Use of low reflectivity glass, maintain landscaping to the height of the lift framing to minimise impact on the Parliament House vista, design and operate lift to return to below forecourt level when not in use.
- b) To ensure the design of the lift is suitable the Department has recommended condition 14 for the AWM to notify the Department in writing of final design and/or finish of the glass lift and provide evidence that the design has been supported by the NCA which will assist with the addressing of heritage impacts due to the their planning and approval role.

63. The glass lift will have a moderate impact on the aesthetic values of the Memorial in its setting as it will not be able to be screened from all angles within the landscape (**Attachment E1a**). However, the Department considers that the above mitigation measures will sufficiently reduce the impact of the glass lift on Criterion (e).

64. The Department's concerns in relation to the need for the oculus as a focal/orientation point and to provide connection between the new and original entrance and proposed changes to reduce the impact are addressed in detail in **Attachment C7**. The impact of

the oculus will be mitigated by the following measures which the Department has recommended as proposed condition 9 to reduce impacts on criterion (e):

- a) Use of low reflectivity glass, lowered dome height (400mm), flat bronze handrail of reduced height (750mm), reduced kerb height (250mm) and no glass infill.
  - b) To ensure the design of the oculus is suitable the Department has recommended condition 14 for AWM to notify the Department in writing and provide evidence that the design has been supported by the NCA which will assist with addressing heritage impacts due to the NCA's planning and approval role.
65. Despite the proposed design changes the oculus will still have a moderate impact on the heritage values of the AWM when viewed within the landscape setting of the AWM (short to medium views within the landscape). The Main Building's monumental nature will not be lost; however, it will be harder to interpret within the Memorial's setting. However, the Department considers that the above mitigation measures will sufficiently reduce the impact of the oculus on Criterion (e).
66. Table 2 below outlines the key impacts of the New Southern Entrance works, relevant NHL values impacted, mitigation measures and the Department's proposed conditions approval.

**Table 2:** New Southern Entrance – Impacts to NHL Values, proposed mitigation measures and proposed conditions of approval

<i>Element</i>	<i>Impact</i>	<i>NHL Criteria</i>	<i>Proposed Mitigation</i>	<i>Proposed Condition</i>
Main Building and courtyard Fabric	The ability of the site to express itself as an outstanding national museum and memorial with removal of part of the fabric from the Main Building and courtyard	(a)	Reinstate original material	1
			Replace weather damaged stone with stone recovered from the air-cooler enclosure	
			Source stone from original quarries and when not possible use other stone with a consistent visual and textural appearance	2
Main Building Fabric	Construction of the subterranean entrance can create a structural risk to the Main Building and impact building fabric. This will impact on the ability of the site to express itself as an outstanding national museum and memorial	(a)	Engage qualified a heritage stone consultant and a structural engineer  A minimum 1.5m heritage buffer along the Main Building, underpinning of the towers and identifying contingency measures in the case structural impacts to the Main Building are detected	3
Change to visitor arrival experience	Impacts on the demonstration of the commemorative design and memorial experiences created by the nature and accessibility of the existing entrance	(a), (e)	Retain the use of the existing main entrance  Erect signage for visitors to proceed directly between the carparks and the main entrance  Visitor engagement technology to support the understanding of the history and importance of entering through the original Main Building entrance.  Train staff and volunteers to assist visitors understand the importance of the existing Main Building entrance.	12
			Continue to hold the Last Post ceremony at the original main entrance.	
Glass lift	Reflectivity from glass finish on aesthetic values of the Main Building and Parliament House vista	(e)	Landscaping, low reflectivity glass and lift to return below ground	10
			Notify the Department of the final design and that it has been supported by the NCA	14
Glass Oculus	Reflectivity from glass dome and visual clutter of handrail detract from the experience of using the main entrance and impact on the aesthetic values of the Main Building and Parliament House vista	(e)	Low reflectivity glass, dome height reduced, flat bronze handrail with reduced height and no glass infill, kerb height reduced	9
			Notify the Department of final design and that it is supported by the NCA	14

### *Conclusion*

67. The New Southern Entrance works will have a permanent and moderate impact on the NHL values of the Memorial. The proposed mitigation measures and the Department's recommended conditions to the proposed approval outlined in paragraphs 58-65 and Table 2 will sufficiently reduce the impact of the New Southern Entrance works on the NHL values. Therefore, the Department considers that the proposed New Southern Entrance works will not have an unacceptable impact on the NHL values of the Memorial provided the action is undertaken in accordance with the recommended conditions in Table 2 of this recommendation report.

### *Anzac Hall*

68. The demolition of Anzac Hall will involve the following key impacts to NHL values:

- a) Loss of a building that is significant as part of the site as a whole and is particularly recognised under Criterion (e) of the National Heritage values which recognises the aesthetic characteristics of the Memorial.
- b) A direct, permanent impact which destroys the ability for Anzac Hall to demonstrate these heritage values as it will no longer be present on the site. This will result in an element of the values under NHL Criterion (e) being lost but the majority of the elements of the site will continue to demonstrate this value (**Attachment E1a**). The other elements of NHL Criterion (e) that will continue to demonstrate this value include; the Main Building and the surrounding landscape, the Hall of Memory, the Roll of Honour, the collections, and the site together with Anzac Parade as part of the Parliament House vista.

69. The construction of new Anzac Hall will have the following key impacts on NHL values:

- a) The construction of the new Anzac Hall will alter the existing designed landscape setting (NHL Criteria (a), (b), (e), (g)). The inclusion of a new building within this landscape will alter the way the Memorial illustrates its commemorative nature through its spaces. The design of the new building will have different aesthetic significance to the original Anzac Hall and will create a different response in visitors. The larger footprint of new Anzac Hall combined with the Glazed Link will have an increased effect on the ceremonial landscape and may detract attention away from the Main building (**Attachment E1b**).
- b) New Anzac Hall will have a low to moderate impact on the overall setting of the AWM due to its increased size and height (see **Attachment C8**).

### *Mitigation Measures*

70. The impact of the loss of Anzac Hall will be mitigated by the construction of a replacement hall in the same location which serves a similar function as the existing Anzac Hall. This will allow more of the collection to be displayed, and the ongoing demonstration of the importance of the collections. The importance of the collections is recognised in multiple criteria (**Attachment E1b**). To reduce its obtrusiveness on the landscape, the new Anzac Hall will be narrower, to align with the width of the Main Building, and go deeper underground. The copper roof in a radiating pattern, which was

planned for the existing Anzac Hall, slopes northward to reduce the impact on the Main Building.

71. The PD sets out the following mitigation measures to minimise the impacts of the loss of Anzac Hall and the construction of new Anzac Hall on the NHL values. As detailed below, the Department recommends that the proposed conditions of approval require the proponent to implement these measures:
- a) To compensate for the loss of Anzac Hall and to conserve its memory, AWM will prepare a photographic archival record of the existing landscape and built environment including Anzac Hall throughout the development process and make the archival record publicly available (condition 5).
  - b) Conduct a research project to document, record and archive the public memories of Anzac Hall from designers, veterans and visitors and make the archive record publicly available (condition 5).
  - c) Conduct a research project to document the public's interpretation of the architectural development of the site (condition 5).
  - d) To address the concerns raised in public submissions regarding the waste associated with demolishing a functional building, the AWM proposes to maximise the onsite reuse and repurpose of Anzac Hall building material (condition 16).
  - e) To mitigate the risk of new Anzac Hall impacting on the aesthetic values of the AWM due to its larger form, the AWM proposes to utilise materials and finishes sympathetic to the current buildings for all new building elements including new Anzac Hall (condition 13).
  - f) Ensure detail design is consistent with NHL and CHL values of the Memorial, CHL values of Parliament House vista and National and Commonwealth Heritage Management Principles (condition 6).
  - g) To ensure the design of the new Anzac Hall is suitable the Department has recommended condition 14 for AWM to notify the Department in writing and provide evidence that the design has been supported by the NCA which will assist with the addressing heritage impacts due to the NCA's planning and approval role.
72. Table 3 below outlines the key impacts of the Anzac Hall works, relevant NHL values impacted, proposed mitigation measures and the Department's proposed conditions of approval.

**Table 3:** Anzac Hall – Impact to NHL Values, proposed mitigation measures and proposed conditions to the approval

<i>Element</i>	<i>Impact</i>	<i>NHL Criteria</i>	<i>Proposed Mitigation</i>	<i>Proposed Condition</i>
Demolition of Anzac Hall	Removal of an element of NHL value criterion (e)	(e)	Publicly available photographic archival record of existing landscape and built environment including Anzac Hall	5
			Research project to document public memories of Anzac Hall	
			Research project to document the public's interpretation of the architectural development of the site	
			Onsite reuse and repurpose Anzac Hall building material	16
New Anzac Hall	Existing designed landscape setting altered, changing the way the Memorial illustrates its commemorative nature through its spaces	(a), (b), (e), (g)	Ensure detail design is consistent with NHL and CHL values of the Memorial, CHL values of Parliament House vista and National and Commonwealth Heritage Management Principles	6
			Utilise materials sympathetic in colour, finish and design as existing built environment	13
			Notify Department of final design finish as supported by NCA	14

### Conclusion

73. The loss of Anzac Hall is a direct and permanent impact on NHL Criterion (e) and will result in an element of the values under NHL Criterion (e) to be lost. Other elements of the site will continue to demonstrate aspects of NHL Criterion (e) value as detailed in paragraph 68b. The proposed mitigation measures and the Department's recommended conditions of the proposed approval outlined in paragraphs 70-71 and Table 3 will sufficiently reduce impacts of the proposed works on NHL values. Therefore, the Department considers that the proposed demolition of Anzac Hall and the construction of new Anzac Hall will not have an unacceptable impact on the NHL values of the Memorial, providing the proposed mitigation measures and the recommended conditions for approval (Table 3) are implemented.

### Glazed Link

74. The construction of the Glazed Link will involve the following key impacts to National Heritage values (**Attachment E1b**):

- a) Impact on the original fabric of the Main Building recognised in the NHL Criterion (a), (b), (e), (g) and (h) from connection of the Glazed Link walls and roof to the Main Building.

- b) Impact on the heritage values of the AWM Main Building as a piece of commemorative architecture experienced by Australians in its designed setting. This is recognised in NHL Criterion (e) which notes the 'relative visual isolation' in the landscape. By enclosing the rear of the building within the Glazed Link, this will obscure the ability of Australians to interpret this heritage value, diminishing the understanding of the Main Building as part of a broader cultural landscape because they can no longer experience the building as originally intended.
- c) The physical enclosure of the rear of the Main Building will cause differential weathering of the stone façade compared to the remainder of the Main Building, impacting the fabric of Main Building, however as it will occur over a long period of time, the design and construction history of the building will still be able to be read through its fabric even if the stone is weathered. The assessment of impacts from differential weathering was assessed by a stone consultant engaged by AWM who found impacts are likely to be low (**Attachment C19**).

### *Mitigation Measures*

- 75. The PD sets out the following mitigation measures to minimise the impacts of the Glazed Link on the NHL values. As detailed below, the Department recommends that the proposed conditions of approval require the proponent to implement these measures.
- 76. The impact of the Glazed Link on the NHL values will be mitigated by:
  - a) The revised design (following discussion with the Department) which achieves a reduction in overall roof area of 230sqm resulting in the revised Glazed Link roof line and the transition from clear to fritted ETFE can move outwards at least 1.1m. increasing the clear ETFE visible above the Glazed Link floor by 90sqm, thereby maximising the transparency of the roof. This will reduce the impact of the Glazed Link roof when viewed from Anzac Parade, as it rises above the parapet of the Main Building. This requirement is included in proposed Condition 8.
  - b) The revised design of the Glazed link ensures the construction's 'reversibility', so that the Glazed Link can be removed without damage to the Main Building in the future if needed (**Attachment C8**). A detail fixture will be used which has no direct fixing or impact to the stone. Instead, the glass wall will be completely independently supported and will only abut the stone. This requirement for reversibility of the Glazed Link has been included in Condition 8 of the proposed approval.
  - c) The AWM commits to train staff and volunteers to assist visitors to understand and appreciate the importance of the ability to view the Main Building 'in the round' when viewed within the Glazed Link. This is incorporated into Condition 11 of the proposed approval.
- 77. To ensure the final design of the Glazed Link is suitable the Department has recommended condition 14 for AWM to notify the Department in writing and provide evidence that the design has been supported by the NCA which will assist with the addressing of heritage impacts due to the NCA's planning and approval role.

78. The AWM does not propose any mitigation measures to address the impacts from building accretions such as the Glazed Link on the Memorial in its setting. The construction of the Glazed Link will have a semi-permanent impact on the Memorial's 'visual isolation in the landscape' (**Attachment E1b**).

79. Table 4 below outlines the key impacts of the Glazed Link, relevant NHL values impacted, proposed mitigation measures and the Department's proposed conditions to the approval.

**Table 4:** Glazed Link– Impact to NHL Values, proposed mitigation measures and proposed conditions to the approval

<i>Element</i>	<i>Impact</i>	<i>NHL Criteria</i>	<i>Proposed Mitigation</i>	<i>Proposed Condition</i>
Connection to Main Building	Impact to the integrity of the Main Building fabric and the ability of the site to express itself as an outstanding national museum and memorial	(a), (b), (e), (g) and (h)	Reversible Glazed Link attached to 1990's metal roof addition of the Main Building	8
			Notify Dept of final design finish and that it is supported by the NCA	14
Visual Isolation of Main Building	Impact on the Main Building as a piece of commemorative architecture experienced by Australians in its designed setting	(e)	Increased transparency of roof to promote view of the northern façade of the Main Building.  Glazed Link roof installed so that parapet lines of the Main Building are visible from Mt Ainslie	8
			Transforming existing covered walkway between the Main Building and Anzac Hall to an open walkway which will allow full view of the northern façade and view of the Main Building dome through the roof of the Glazed Link.	Inherent in design
			Train staff and volunteers to assist visitors to understand the importance of viewing the northern façade of the Main Building	11

### Conclusion

80. Overall, the construction of the Glazed Link will have a predictable, semi-permanent and high-intensity impact on the NHL values of the AWM. The ability to interpret the heritage values of the Memorial's 'relative visual isolation' through the Glazed Link's fabric will be obscured to a moderate degree. This value will not be lost; however, it will become harder to interpret within the Memorial setting (**Attachment E1a**).

81. The proposed mitigation measures and the Department's recommended conditions of the proposed approval outlined in paragraphs 75-77 and Table 4 will sufficiently reduce the impacts of the Glazed Link on the NHL values. Therefore, the Department considers the proposed Glazed Link will not have an unacceptable impact on the NHL values of the Memorial, provided the action is undertaken in accordance with the recommended conditions in Table 4 of this recommendation report.

#### *Parade Ground and Public Realm*

82. The proposed parade ground and public realm works will involve the following key impacts to National Heritage values:
- a) Impact the designed ceremonial landscape of the Memorial recognised in the NHL Criterion (a), (b), (e), (g) and (h).
  - b) Alterations to the layout of the Parade Ground and other landscaping changes will result in direct permanent impacts to the heritage fabric of the site, as well as on the ability of the site to express this sense of the place as a designed commemoration space. Concept design of the public realm is at **Attachment C10**.
  - c) The Parade Ground changes will reduce the primacy of the Main Building as the northern, eastern and western sides of the Parade Ground will increase in height, terraced stone seating will be added, and the surrounding landscape will become more formalised. The primacy of the Main Building is recognised in NHL criterion (e) in relation to the Memorial's 'visual isolation' due to its prominent position on the Griffin land axis.
  - d) Possible removal of commemorative plaques located in the public realm as a result of the landscaping works. The removal of these plaques will impact the social heritage values of the site recognised in Criterion (g).
  - e) Formalisation of the landscape design, and the cumulative impact of the public realm works.

#### *Mitigation Measures*

83. The PD sets out the following mitigation measures to minimise the impacts of the Parade Ground and Public Realm works on the NHL values. As detailed below, the Department recommends that the proposed conditions of approval require the proponent to implement these measures.
84. The proposed Parade Ground layout has been changed in response to public comments around the length of sandstone terraces and the area of gravel. The dimensions of the gravel area have reduced by 3m in the north/south direction. The area of overall gravel is now near equivalent to the existing gravel area. The length of sandstone terraces has also been reduced. The Department has recommended these changes as condition 18.
85. The AWM has committed to conduct a heritage impact assessment for the relocation of commemorative plaques in accordance with the site's Heritage Management Plan (2011). This requirement is included as condition 15.

86. In response to the concerns raised in the public comments regarding the landscape design of the public realm, the AWM has committed to undertake a heritage impact assessment of the landscape design of the public realm at detailed design stage in consultation with the NCA and a heritage landscape architect. This commitment is included in Condition 15.
87. To ensure that the final design of the public realm and Parade Ground is suitable the Department has recommended condition 14 for AWM to notify the Department in writing and provide evidence that the design has been supported by the NCA which will assist with the addressing of heritage impacts due to the NCA's planning and approval role.
88. Table 5 below outlines the key impacts of the Parade Ground and Public Realm works, relevant NHL values impacted, proposed mitigation measures and the Department's recommended proposed conditions for approval.

**Table 5:** Parade Ground and Public Realm Works– Impact to NHL Values, proposed mitigation measures and proposed conditions to the approval.

<i>Element</i>	<i>Impact</i>	<i>NHL values</i>	<i>Proposed Mitigation</i>	<i>Proposed Condition</i>
Parade Ground	Direct permanent impacts to the heritage fabric of the site, and ability of the site to express this sense of the place as a designed commemoration space.	(a), (b), (e), (g) and (h).	Seating length and gravel area reduced	18
			Notify Dept of final design finish and that it is supported by the NCA	14
Commemorative Plaques	Social heritage	(g)	Heritage Impact Assessment for relocation of any commemorative plaques	15
Landscape design	Impact on heritage fabric and the ability of the site to express the sense of place as a designed commemoration space	(a), (b), (e), (g) and (h).	Heritage impact assessment of the landscape design of the public realm at detailed design stage in consultation with the NCA and a heritage landscape architect	15

### *Conclusion*

89. The proposed Parade Ground alterations will obscure the existing heritage values of the Memorial, but only to a low degree as they will replicate the functions of the existing Parade Ground and be designed in a way which is consistent with the overall ceremonial landscape it sits within (**Attachment E1b**).
90. The proposed mitigation measures and the Department's recommended conditions of the proposed approval outlined in paragraphs 83-87 and Table 5 will sufficiently reduce the impacts of the Parade Ground and Public Realm works on the NHL values. Therefore, the Department considers the Parade Ground and Public Realm works will not have an unacceptable impact on the NHL values of the Memorial, provided the

action is undertaken in accordance with the recommended conditions in Table 5 of this recommendation report.

#### *C.E.W. Bean Building Extension and Research Centre*

91. The construction of the C.E.W. Bean Building extension and Research Centre will involve the following key impacts to National Heritage values:
- a) Impact on the heritage landscape of the site through the reduction in natural spaces which may compromise the relationship between the natural bush setting of the Memorial and continuity with Mount Ainslie. The impact on the landscape context is recognised in criteria (a), (b), (e), (g) of the NHL values.
  - b) Impact on the views along the Parliament House vista as the new Research Centre will be located to the south of the existing C.E.W Bean Building. The Research Centre roof will rise slightly above the existing Bean Building and increases its prominence when viewed from the Main Building. The views are recognised under Criterion (a) and (e) of the NHL values. Renders of the C.E.W. Bean Building extension and Research Centre are included in **Attachment C9**. The impact on Parliament House vista is discussed at paragraphs 123-128 and Table 9.

#### *Mitigation Measures*

92. The PD sets out the following mitigation measures to minimise the impacts of the C.E.W. Bean Building expansion and Research Centre on the NHL values. As detailed below, the Department recommends that the proposed conditions of approval require the proponent to implement these measures.
93. The impacts on the C.E.W. Bean Building expansion and the new Research Centre will be mitigated by the following measures proposed by the AWM and recommended as conditions by the Department to reduce the impact on NHL values:
- a) To reduce impacts on the landscape setting of the site, the AWM has committed to undertake a heritage impact assessment of the landscape design of the public realm at detailed design stage in consultation with the NCA and a heritage landscape architect (Condition 15).
  - b) Ensure detail design is consistent with NHL and CHL values of the Memorial, CHL values of Parliament House vista and National and Commonwealth Heritage Management Principles (condition 6).
  - c) Utilise materials and finishes sympathetic to the current buildings (condition 13).
94. To ensure the final design of the C.E.W. Bean Building and Research Centre is suitable the Department has recommended condition 14 for AWM to notify the Department in writing and provide evidence that the design has been supported by the NCA which will assist with the addressing heritage impacts due to the NCA's planning and approval role.
95. Table 6 below outlines the key impacts of the works, relevant NHL values impacted, proposed mitigation measures and the Department's proposed conditions of approval.

**Table 6:** C.E.W. Bean Building extension and new Research Centre – Impact to NHL Values, proposed mitigation measures and proposed conditions to the approval.

<b>Element</b>	<b>Impact</b>	<b>NHL values</b>	<b>Proposed Mitigation</b>	<b>Proposed Conditions</b>
Additional Built form	Alteration to the designed landscape setting – a new building will alter the way the Memorial illustrates its commemorative nature through its spaces.	(a), (b), (e), (g)	Ensure detail design is consistent with NHL and CHL values of the Memorial, CHL values of Parliament House vista and National and Commonwealth Heritage Management Principles	6
			Utilise materials sympathetic in colour, finish and design as existing built environment	13
			Notify Dept of final design finish and that it is supported by the NCA	14
			Heritage impact assessment of the landscape design at detailed design stage in consultation with the NCA and a heritage landscape architect	15

### Conclusion

96. The proposed C.E.W. Bean Building extension and new Research Centre will have a direct, permanent and moderate impact on the NHL values of the Memorial, due to loss of open space and impacts on the Parliament House vista.
97. The Department notes that the reduction in natural spaces cannot be completely mitigated. However, the proposed mitigation measures and the Department's recommended conditions of the proposed approval outlined in paragraphs 92-94 and Table 6 will sufficiently reduce the impacts of the C.E.W. Bean Building extension and new Research Centre on the NHL values. The Department considers the C.E.W. Bean Building extension and Research Centre will not have an unacceptable impact on the NHL values of the Memorial, provided the action is undertaken in accordance with the recommended conditions in Table 6 of this recommendation report.

### Impact on Nature of Commemoration – NHL and CHL Criterion (b)

98. The importance of the balanced relationship between the building, the collections and the commemorative spaces (Criterion (b)) will be impacted by the addition of three large new spaces which are focused primarily on exhibition of collections, visitor services and functions and events. The Department acknowledges that the increase in space will allow the further display of the collections and objects, which are recognised in other NHL and CHL values. However, the increase in space for display purposes may reduce the original Main Building's significance and the significance of the commemorative spaces. While the collections contribute to the Memorial's commemorative function, it is their combination with the Main Building and commemorative spaces that makes the Memorial significant in Australia – it serves not only as a museum, or a commemoration space, or a place of architectural excellence, but an equal and complimentary balance of all three.
99. The Department considers the impacts on these heritage values can be managed to a degree through actions such as ensuring the uses of the new additional spaces are

appropriate to the solemn and commemorative nature of the Memorial, by designing the spaces in a way that minimises their imposition on the Main Building and other commemorative spaces, and by properly integrating the three aspects of the Memorial across the new and old spaces.

100. As such the Department has recommended condition 17 to ensure that the Memorial continues to integrate these elements going forward into the detail design of the expanded spaces. Condition 17 requires the AWM to demonstrate in writing how the design of the expanded spaces will maintain the nature of commemoration identified in the NHL and CHL values.

#### Overall Conclusion to NHL values

101. The New Southern Entrance, demolition and reconstruction of Anzac Hall, the Glazed Link and Bean Building extension and Research Centre, together create a significant and permanent impact on the heritage values of the Memorial. The combined impact of the proposed action will impact on the nature of the Memorial as a commemorative structure which has carefully designed relationships with its setting and created landscape.
102. The mitigation measures outlined in tables 2 to 6 will reduce impacts of the proposed action on the NHL values of the Memorial, as Main Building fabric will be conserved and reinstated or sourced to ensure a sympathetic finish to the existing built environment. Measures will be put in place to prevent structural damage to the Main Building, to maintain the primacy of the original entrance and the importance of the visual isolation of the Main Building on the land axis. Detail design of all other components will also utilise materials sympathetic in colour and finish to the existing built environment. The proposed action will not result in a change in the function of any part of the Memorial as recognised in the NHL values. The demolition of Anzac Hall will result in an element of the values under NHL Criterion (e) to be lost but other elements of the site will continue to demonstrate other aspects of this value as outlined in paragraph 68b.
103. The proposed mitigation measures and recommended conditions ensure that the nature of the Memorial as a commemorative structure continues to have a carefully designed relationship with its setting and designed landscape.
104. Given the proposed mitigation measures and the Department's recommended conditions of approval outlined above in tables 2 to 6, the Department considers that the proposed action will not have an unacceptable impact on the NHL values for the Australian War Memorial provided the action is undertaken in accordance with the recommended conditions outlined in this recommendation report.

#### The National Heritage management principles.

105. The National Heritage Management Principles are prescribed at schedule 5B of the EPBC Regulations: <https://www.legislation.gov.au/Details/F2020C00778>
106. The National Heritage Management Principles provide a guiding framework for excellence in managing heritage properties. They set the standard and the scope of the

way places should be managed in order to protect heritage values for future generations.

107. The EPBC Act assessment process which included public exhibition and further public consultation has been undertaken in accordance with the National Heritage Management Principles. The proponent's Heritage Impact Assessment (HIA) assessed the proposed action against the National Heritage Management Principles and concludes that the proposed action is not inconsistent with the principles (**Attachment C4**).
108. The Department's consideration of the National Heritage Management Principles, which includes an assessment of the proposed action for consistency with those principles is included in Table 7 below.

**Table 7:** Consistency of the Proposed Action with National Heritage Management Principles

National Heritage Management Principle	Assessment of consistency
Principle 1: The objective in managing National Heritage places is to identify, protect, conserve, present and transmit, to all generations, their National Heritage values.	The proposed action conserves the National Heritage values of the place and will continue to allow transmission and presentation of these values to future generations. This has been shown by the above analysis of the action against the NHL values.
Principle 2: The management of National Heritage places should use the best available knowledge, skills and standards for those places, and include ongoing technical and community input to decisions and actions that may have a significant impact on their National Heritage values.	During the assessment process, the AWM engaged appropriate technical experts including heritage consultants, architects with expertise in heritage listed places and heritage stone experts and undertook a detailed assessment of the impacts of the proposed action on National Heritage values. Community input was facilitated through a program of stakeholder consultation, including consultation workshops through each Australian State, and an online survey including social heritage values. Various groups were involved including the architectural and heritage community, veterans and their families and the general public. The PD was also subject to public comment for 20 business days. This consultation has been reflected in the PD.
Principle 3: The management of National Heritage places should respect all heritage values of the place and seek to integrate, where appropriate, any Commonwealth, State, Territory and local government responsibilities for those places.	The proposed action will impact on the Memorial's listed National and Commonwealth Heritage values as summarised in paragraphs 46-129. The proponent has proposed mitigation measures to reduce the impact of the proposed action on National and Commonwealth Heritage values. The Department has proposed conditions to formalise implementation of these mitigation measures.

National Heritage Management Principle	Assessment of consistency
	The Department has engaged with the NCA to integrate the EPBC Act approvals process with the works approval responsibilities of the NCA.
Principle 4: The management of National Heritage places should ensure that their use and presentation is consistent with the conservation of their National Heritage values.	<p>Although significant changes to the site are proposed, the use of the place as a memorial will not change.</p> <p>While the proposed action is likely to impact the National Heritage values of the AWM, the action and the measures to avoid, mitigate, repair and offset these impacts which are recommended to be required under the Department's recommended conditions would ensure the use and presentation of the AWM and would be consistent with the conservation of the values of the place. For example, removed heritage fabric will be reinstated where possible or sourced to ensure their finish and design is sympathetic to the existing built form and archival recording will be conducted of the existing site.</p>
Principle 5: The management of National Heritage places should make timely and appropriate provision for community involvement, especially by people who: (a) have a particular interest in, or association with, the place; and (b) may be affected by the management of the place.	During the assessment process, the AWM committed to and undertook extensive stakeholder consultation, including consultation workshops through each Australian State, and an online survey including social heritage values. Stakeholders consulted included the architect and heritage community, veterans and their families, the general public and specific consultation was conducted with Indigenous stakeholders including Registered Aboriginal Parties. The PD was also subject to public comment for 20 business days. This consultation has been reflected in the PD.
Principle 6: Indigenous people are the primary source of information on the value of their heritage and the active participation of indigenous people in identification, assessment and management is integral to the effective protection of indigenous heritage values	The AWM consulted with indigenous stakeholders regarding the proposed action and regarding protection of known, but unlisted Indigenous cultural heritage sites on the Memorial site. The AWM commits to engage with Indigenous stakeholders regarding the future gallery content and representation of Indigenous people and matters (commitments 5D and 5E, RTS <b>Attachment C3</b> ).
Principle 7: The management of National Heritage places should provide for regular monitoring, review and reporting on the conservation of National Heritage values	To ensure compliance of the proposed action with the Department's recommended conditions, the conditions require AWM keep compliance records, report incidents of non-compliance with conditions to the Department, report annually on the compliance with conditions and publish the report on the website for public access.

109. In conclusion by reason of the matters outlined in Table 7 above, the Department considers that approving the proposed action subject to the proposed conditions would not be inconsistent with the National Heritage Management Principles.

### *Conclusion*

110. The Department has considered the likely impacts of the proposed action on the Memorial (a National Heritage Place). The Department considers that if the project is taken in accordance with the mitigation measures and the recommended conditions of approval, it will not have an unacceptable on the NHL values, nor will it be inconsistent with the National Heritage Management Principles.

### **Commonwealth Action – whole of environment assessment (section 28)**

111. An action by a Commonwealth agency requires consideration of the whole of the environment.

112. The environment is defined in the EPBC Act as:

- a) ecosystems and their constituent parts,
- b) natural and physical resources,
- c) qualities and characteristics of locations, places and areas,
- d) heritage values of places, and
- e) the social, economic and cultural aspects of a, b, c and d.

113. The part of the environment most relevant to the proposed action is d) and e) which are discussed below in paragraphs 114-147. All other aspects (a to c) are discussed briefly in paragraphs 148-153.

### **Heritage value of places**

114. The Australian War Memorial and Memorial Parade are listed on the Commonwealth Heritage List. The Memorial is listed as part of the Commonwealth Heritage listed Parliament House vista. The impacts on the Commonwealth Heritage and National Heritage values are also part of the proposed action's impact on the whole of the environment for the purposes of s 28 of the EPBC Act.

115. Many of the CHL values of the Memorial are similar to the NHL values which have been discussed comprehensively in the section above. These common values relate to the importance of the Main Building fabric, the nature of commemoration recognised as the equal relationship between the building, the collection of objects/records and the commemorative spaces, the aesthetic significance and architectural styling of the Main Building, the prominent position of the Memorial on the land axis and the landscaped grounds and setting.

116. Criterion (b) for both listings is discussed at paragraphs 98-100 in relation to the impact of the proposed action on the nature of commemoration and criterion (g) is

discussed at paragraphs 130-136 in relation to the social heritage impacts of the proposed action.

117. The section below discusses the impact of the proposed action on the Commonwealth Heritage values and the Commonwealth Heritage Management Principles.

#### Commonwealth Heritage values of the Australian War Memorial and Memorial Parade

118. The Australian War Memorial and the Memorial Parade (the place) was included on the Commonwealth Heritage List (CHL, for heritage on Commonwealth Land) in 2004 (Place ID 105469). The attributes of the Memorial for which it is listed on the CHL are outlined in **Attachment A4**.
119. The proposed action will involve the following key impacts to CHL values of the Australian War Memorial and Memorial Parade.
- The New Southern Entrance works will impact on the heritage values of the Memorial as an example of the principle characteristics of Art Deco architecture in Australia and experience as a shrine and place of remembrance for visitors, as recognised under Criterion (d).
  - The glass lift and Oculus, as part of the New Southern Entrance, will impact on the aesthetic values of the Memorial recognised in Criterion (e) as the terminating building at the northern end of the land axis of Griffin's city design. It also impacts Criterion (f) which recognises the distinct massing and symmetry of the Memorial and its visual isolation given its prominent siting on the land axis.
  - The expansion of the Parade Ground, public realm works, and landscaping will impact the designed ceremonial landscape of the Memorial as recognised under the CHL Criteria (a), (e), (f), (g) and (h). The 'relative isolation' of the Memorial as recognised in Criterion (f) will be impacted by an altered Parade Ground and the addition of the Glazed Link.
  - The construction of new Anzac Hall, C.E.W. Bean Building extension and Research Centre will be an alteration to the existing designed landscape setting recognised in Criteria (a), (f), (g), (h) of the CHL values.
  - The Glazed Link will impact on the Memorial's aesthetic values and primacy of the Main Building (Criteria (e) and (f)) and will impact on how the building fulfils its special functions and reinforces its role of place as a Shrine (Criterion (d)).

#### *Mitigation Measures*

120. The mitigation measures to reduce the impacts of the proposed action on the CHL values align closely with the mitigation measures and recommended conditions to reduce impacts of the proposed action on NHL values. As such, these are not discussed in detail here as they have been discussed in detail under impacts to NHL values above.

121. Table 8 below outlines the key impacts of the proposed action on the relevant CHL values, proposed mitigation measures and the Department's recommended conditions.

**Table 8:** Commonwealth Heritage Values of the Australian War Memorial and Memorial Parade – Impact and mitigation summary

<i>Element</i>	<i>Impact</i>	<i>CHL values</i>	<i>Proposed Mitigation</i>	<i>Proposed Conditions</i>
New Southern Entrance	Impact on heritage values of the Memorial as an example of Art Deco architecture and experience as a shrine and place of remembrance for visitors	(d)	Reinstate original material	1
			Replace weather damaged stone with stone recovered from the air-cooler enclosure	1
			Source stone from original quarries and when not possible use other stone with a consistent visual and textural appearance	2
			Engage a qualified heritage stone consultant and a structural engineer A minimum 1.5m heritage buffer along the Main Building, underpinning of the towers and identifying contingency measures in case structural impacts to the Main Building are detected	3
New Southern Entrance	The change to visitor arrival experience impacts on the demonstration of the building to fulfil its special function and reinforce the role of the place as Shrine.	(d)	Retain the use of the existing main entrance  Erect signage for visitors to proceed directly between the carparks and the main entrance  Visitor engagement technology to support the understanding of the history and importance of entering through the original Main Building entrance.  Train staff and volunteers to assist visitors understand the importance of the existing Main Building entrance.	12
New Southern Entrance - Glass Lift	Impact on aesthetic values	(e)	Landscaping, low reflectivity glass and lift to return below ground.	10
			Notify the Department of final design and that it is supported by the NCA	14
New Southern Entrance - Oculus	Impact on aesthetic values	(e)	Low reflectivity glass, dome height reduced, flat bronze handrail with reduced height and no glass infill, kerb height reduced	9
			Notify the Department of final design and that it is supported by the NCA	14
Glazed Link	Impact on aesthetic values and visual isolation/primacy of the Main Building	(e) and (f)	Increased transparency of roof will minimise impact along the Parliament House vista	8

<i>Element</i>	<i>Impact</i>	<i>CHL values</i>	<i>Proposed Mitigation</i>	<i>Proposed Conditions</i>
			Transforming existing covered walkway between the Main Building and Anzac Hall to an open walkway which will allow full view of the northern façade and view of the Main Building dome through the roof of the Glazed Link.	Inherent in design
			Train staff and volunteers to assist visitors to understand the importance of viewing the northern façade of the Main Building	11
Glazed Link	Impact on fabric on Main Building from attachment of Glazed Link, impact on how the building fulfils its special functions and reinforces its role of place as a Shrine.	(a), (d)	Increased transparency of roof will minimise impact along the Parliament House vista  Attach Glazed Link roof to 1990's metal roof addition of the Main Building	8
			Notify Dept of final design finish as supported by NCA	14
New Anzac Hall	Alteration to the existing designed landscape and setting	(a), (f), (g), (h)	Ensure detail design is consistent with NHL and CHL values of the Memorial, CHL values of Parliament House vista and National and Commonwealth Heritage Management Principles.	6
			Utilise materials sympathetic in colour, finish and design as existing built environment	13
			Notify Dept of final design finish as supported by NCA	14
C.E.W. Bean Building extension and Research Centre	Alteration to the existing designed landscape and setting	(a), (f), (g), (h)	Ensure detail design is consistent with NHL and CHL values of the Memorial, CHL values of Parliament House vista and National and Commonwealth Heritage Management Principles.	6
			Utilise materials sympathetic in colour, finish and design as existing built environment	13
			Notify Dept of final design finish as supported by NCA	14
Parade Ground/Public Realm/Landscaping works	Direct permanent impacts to the heritage fabric of the site, as well as on the ability of the site to express this sense of the place as a designed commemoration space.	(a), (e), (f), (g) and (h)	Seating length and gravel area reduced	18
			Heritage impact assessment of the landscape design of the public realm at detailed design stage in consultation with the NCA and a heritage landscape architect	15

### *Conclusion*

122. The proposed mitigation measures and the Department's recommended conditions outlined in Table 8 will reduce the impacts of the proposed action on CHL values of the AWM and Memorial Parade. Therefore, the Department considers the proposed action will not have an unacceptable impact on the Commonwealth Heritage values of the Australian War Memorial and Memorial Parade, provided the action is undertaken in accordance with the proposed mitigation measures and the recommended conditions outlined in Table 8 of this recommendation report.

### Commonwealth Heritage Values of the Parliament House vista

123. The Parliament House vista (Place ID 105466) was listed on the Commonwealth Heritage List in June 2004. It is also mentioned as part of the National Heritage Listing for the Memorial. It is the central designed landscape of Canberra that embraces the central land axis, part of the water axis and most of the Parliamentary Triangle including the area known as the Parliamentary Zone. The Memorial stands at the northern end of Anzac Parade and is visible from Parliament House.

124. The official listing includes values under Commonwealth Heritage criteria (a), (e), (f) (g) and (h). The criteria are outlined in full in **Attachment A5**.

125. The proposed action will involve the following key impacts to Commonwealth heritage values of the Parliament House vista:

- a) The New Southern Entrance works will impact on Criteria (e) and (f) as views from Anzac Parade to the War Memorial along the land axis are significant and the new subterranean entrance, glass lift and oculus could detract from the primacy of the Main Building.
- b) The Glazed Link roof will rise above the parapet of the Main Building and will be visible from views along the Parliament House vista and views along Mt Ainslie looking towards Parliament House. This will impact Criteria (e) and (f).
- c) The northern edge of new Anzac Hall will rise above the parapet of the Main Building and will be visible from views along the Parliament House vista and views along Mt Ainslie looking towards Parliament House. This will impact Criteria (e) and (f).
- d) The open spaces at the site will be reduced by the expansion of the C.E.W. Bean Building and Research Centre and impact Criteria (e) and (f).
- e) The Parade Ground works, and landscaping will impact the centrally designed landscape of the Parliament House vista, impacting Criteria (e) and (f).

### *Mitigation Measures*

126. The impact of the proposed action on the CHL values of the Parliament House vista will be mitigated by the following measures recommended as proposed conditions:

- a) Impacts to Main Building fabric will be mitigated by measures to manage stone removal and reinstatement and minimise structural risk to the Main Building outlined in conditions 1 to 3.
  - b) The impacts of the oculus and glass lift have been reduced by amendments to the design reflected in proposed conditions 9 and 10 respectively.
  - c) Utilise materials and finishes sympathetic to the current buildings for all new building elements (condition 13).
  - d) Undertake a heritage impact assessment of the landscape design of the public realm at detailed design stage in consultation with the NCA and a heritage landscape architect (condition 15).
  - e) To ensure the final design of various elements is suitable the Department has recommended condition 14 for AWM to notify the Department in writing and provide evidence that the final design has been supported by the NCA which will assist with the addressing of heritage impacts due to the NCA's planning and approval role.
  - f) Reduced dimensions of the gravel area by 3m in the north/south direction. Reduced length of sandstone terraces (condition 18).
127. The amended design of the Glazed Link and Anzac Hall rooves, as detailed in **Attachment C8** and summarised below, will reduce impacts of these elements on the CHL values of the Parliament House vista:
- a) The revised design has reduced the curvature of the Glazed Link roof and lowered the maximum height of the roof crest by 600mm and means that the Glazed Link roof is first seen along Anzac Parade when the viewer is more than 500m from the Dome, an additional 130m from the original designed Glazed Link roof (condition 7).
  - b) Affixing the Glazed Link roof to the 1990's metal roof of the Main Building. The ETFE roof has been reprofiled in plan and section to land behind the rear stone parapet. In plan form it follows the shape of the apse which both lowers the vertical profile of the ETFE and ensures the shape of the Main Building can be viewed from Mount Ainslie (Condition 8).
  - c) The revised design achieves a reduction in overall roof area of 230sqm resulting in the revised Glazed Link roof line and the transition from clear to fritted ETFE can move outwards at least 1.1m. increasing the clear ETFE visible above the Glazed Link floor by 90sqm, thereby maximising the transparency of the roof. This will reduce the impact of the Glazed Link roof when viewed from Anzac Parade, as it rises above the parapet of the Main Building (Condition 8).
  - d) AWM reviewed the roof height of the Anzac Hall and concluded that any reduction in the internal height of Anzac Hall would reduce the functionality to such an extent that the Project objectives would be seriously impacted. A minor change was made by a 750mm reduction in height through improved eave detailing. The pitch of new Anzac Hall roof has been designed to fall parallel to the ground and thus away from the line of sight.

128. Table 9 below summarises the assessment of the proposed action against the CHL values of the Parliament House vista, the proposed mitigation measures and the Department's recommended conditions which align with those for mitigating impacts to NHL and CHL values of the Memorial.

**Table 9:** Commonwealth Heritage Values of the Parliament House vista (PHV) – Impact and mitigation summary

<i>Element</i>	<i>Impact</i>	<i>CHL-PHV values</i>	<i>Proposed Mitigation</i>	<i>Proposed Conditions</i>
New Southern Entrance - Overall works	A new built structure below and in front of the Main Building will be visible along the PHV.	(e) and (f)	Reinstate original material	1
			Replace weather damaged stone with stone recovered from the air-cooler enclosure	1
			Source stone from original quarries and when not possible use other stone with a consistent visual and textural appearance	2
			Engage qualified a heritage stone consultant and a structural engineer  A minimum 1.5m heritage buffer along the Main Building, underpinning of the towers and identifying contingency measures in the case structural impacts to the Main Building are detected	3
New Southern Entrance - Glass lift	Reflectivity from glass finish	(e) and (f)	Landscaping, low reflectivity glass and lift to returns below ground.	10
			Notify the Department of final design and that it is supported by the NCA	14
New Southern Entrance - Glass Oculus	Reflectivity from glass dome, visual clutter of handrail detracting from the Main entrance	(e) and (f)	Low reflectivity glass, dome height reduced, flat bronze handrail with reduced height and no glass infill, kerb height reduced	9
			Notify the Department of final design and that it is supported by the NCA	14
Glazed Link - Roof	Opacity of dome and its height above parapet of Main Building makes it visible along PHV	(e) and (f)	Overall height of Glazed Link reduced by 600mm to reduce impact along PHV. Apex of Glazed Link not to exceed RL 602.700m	7
			Increased transparency of roof will minimise impact along the Parliament House vista	8
			Minimise lighting within Glazed Link at night-time to reduce prominence of structure	AWM existing lighting and functions policy to be utilised for proposed action
Anzac Hall - Roof	Roof of Anzac Hall rises above Main Building parapet makes it visible along PHV	(e) and (f)	Overall height of Anzac Hall roof reduced by 750mm through eave detailing. Anzac Hall roof not to exceed RL 602.700m.	7
			Utilise materials sympathetic in colour, finish and design as existing built environment	13

<i>Element</i>	<i>Impact</i>	<i>CHL-PHV values</i>	<i>Proposed Mitigation</i>	<i>Proposed Conditions</i>
			Notify the Department of final design and that it is supported by the NCA	14
Parade Ground and Public Realm/landscaping	Direct permanent impacts to the heritage fabric of the site, as well as on the ability of the site to express this sense of the place as a designed commemoration space.	(a), (e) and (f)	Reduced seating length and gravel area of Parade Ground in response to public submissions	18
			Heritage impact assessment of the landscape design of the public realm at detailed design stage in consultation with the NCA and a heritage landscape architect	15
Bean Building extension and Research Centre	Increased mass of buildings detracts from Main Building, visible along the PHV	(e) and (f)	Utilise materials sympathetic in colour, finish and design as existing built environment	13
			Notify Department of final design finish as supported by the NCA	14

### Conclusion

129. Given the proposed mitigation measures and the recommended conditions outlined in Table 9 and in more detail in paragraphs 126-127 above, the Department considers the proposed action will not have an unacceptable impact on the Commonwealth Heritage values of the Parliament House vista provided the proposed action is undertaken in accordance with the proposed mitigation measures and recommended conditions in Table 9 of this recommendation report.

### Social Heritage aspects

130. Social heritage values are recognised as Criterion (g) of both the National and Commonwealth Heritage values of the Australian War Memorial. Social heritage is also recognised as part of the whole of environment when the action is undertaken by a Commonwealth Agency. As part of the further information request for the PD, the Department requested the AWM to undertake further consultation to determine how the proposed action could affect the social importance of the place to the Australian community as a focal point for national commemoration.

131. To inform the assessment of the proposed action on the social heritage values, the AWM undertook consultation with the general public to ascertain community views on the proposed action. Key stakeholders were consulted including veterans or those with a close connection to the Memorial as well as obtaining demographically representative data on views of the broader Australian populace on the proposed action's heritage impacts. Reports detailing the process and results of consultation are included as **Attachment C20**.

132. A demographically representative online survey specifically targeted at understanding community responses to the likely impact of the project on the Memorial's social heritage values (recognised by both the National and Commonwealth Heritage values of the AWM) was conducted in February 2020.

133. The results of the consultation indicated:

- a) respondents felt the developments were important for remembering Australia's history and those who served in Australia's military forces (41%),
- b) respondents felt the project would enable more stories and facts to be told (14%) and would help future generations understand past conflicts (10%),
- c) for those that had attended a major commemorative ceremony at the Memorial before, there was consensus that the proposed action would have a positive impact (87%).
- d) of the Defence members/families/friends, 91% saw the development as making a positive impact on social heritage values.

134. Other issues raised included the importance to modernise the museum (in both appearance and having up-to-date records, and a primary concern was gallery content rather than physical impacts to the site. Those not in favour of the planned developments felt this investment could be better spent elsewhere (e.g. health, education), or the current facility was adequate, with some concerned that it would glorify more recent wars.

135. Among the 514 respondents, 79% were in favour of the proposed action. This result differs from the public comments on the PD where only 38% of submissions supported the proposed action. Overall, the veteran community supported for the need for the project, the

architectural community raised concerns regarding the impact on heritage values and a high proportion of comments were made on the cost of the development.

136. The AWM concludes in their PD that the proposed action will support the Memorial to deliver its social heritage obligations to the Australian community, veterans and their families, through delivering equity to those veterans of recent conflicts and an understanding to the broader Australian community of how these veterans represented the country

#### Technical achievement of Anzac Hall

137. In addition to the heritage significance of Anzac Hall as contributing to the aesthetic heritage significance of the AWM overall, it has heritage significance as an example of technical achievement as a building of architectural excellence. The technical achievement is reflected in the fact that Anzac Hall received the Royal Australian Institute of Architects Sir Zelman Cowen Award for public buildings for its design excellence in 2005. This technical achievement is not recognised at a national level as part of the National Heritage Listing. However, it is part of the heritage values of the place, which are protected in their entirety, whether listed or not, as part of the whole of the environment as the action is being undertaken by a Commonwealth Agency. The demolition of Anzac Hall will destroy the ability of the site to demonstrate this technical excellence, as the Hall and its technically outstanding features will no longer exist (**Attachment E1b**).

#### Heritage Management Plans and Commonwealth Heritage Management Principles

138. Under s 136(1)(a) of the EPBC Act, when making the present decision, you must consider matters relevant to, relevantly, the environment, so far as the matters are not inconsistent with any other requirement of Subdivision B of Division 1 of Part 9. As discussed above, the environment relevantly includes heritage values of places.
139. Matters relevant to this aspect of the environment include:
- a) The Australian War Memorial Heritage Management Plan Final Report, January 2011, prepared by Godden Mackay Logan, Heritage Consultants for the AWM. This document was not registered as a legislative instrument for the purposes of s 341S(8) of the EPBC Act. However, it is nevertheless a matter that is relevant to the heritage values of the Memorial. A copy of the Australian War Memorial Heritage Management Plan Final Report, January 2011 is at **Attachment A6** for your consideration.
  - b) The Commonwealth Heritage Management Principles contained in Schedule 7B to the EPBC Regulations. These principles provide a guiding framework for best practice in managing Commonwealth Heritage places. They set the standard and the scope of the way places should be managed in order to protect heritage values for future generations.

140. When making a decision under Part 9 of the EPBC Act, you are not bound by s 341V <sup>2</sup>

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<sup>2</sup> Note that under s 341V of the EPBC Act, the Commonwealth or a Commonwealth Agency must not contravene a plan made under s 341S or authorise another person to do, or omit to do, anything that, if it were done or omitted to be done by the Commonwealth or Commonwealth agency, would contravene such a plan. If there is no plan in force under section 341S for a Commonwealth Heritage place, the Commonwealth and Commonwealth agency must take all reasonable steps to ensure that its acts are not inconsistent with the Commonwealth Heritage management principles.

*Heritage Management Plan*

141. The HIA includes an analysis of the proposed action against the policies contained in the Heritage Management Plan 2011 (HMP). The HIA states that the proposed development complies with several policies such as 1.7 (retaining the current contrast between the galleries and exhibitions), 1.12.2 (maintaining all parts of the external façade of the Main Building) and 5.4.2 (appropriate archival recording prior to any major intervention). The HIA also states partial compliance with the following policies, mainly in relation to impacts to the Main Building fabric from the New Southern Entrance and the demolition of Anzac Hall (NHL Criteria (a) and (e) and CHL Criterion (d)):

- a) The identified heritage values of the site will be the principal basis for all future planning (policy 1.1.2). The proposed action partially complies with this policy, as there are elements of the action that will impact on the heritage values of the site. Proposed mitigation measures will reduce the impacts.
- b) All new developments must contribute to the heritage values of the site and its qualities as a unique place of symbolic importance to the nation (policy 1.3). Overall, the proposed action will contribute to the heritage values of the site by providing additional space for the equitable display of all conflicts and providing improved access for people with mobility issues. The new elements will utilise materials and finishes sympathetic to the existing built form and impacts to the Main Building have been minimised by the creation of a subterranean entrance. The HIA states that the overall proposed development contributes positively to the social, research and rarity values of the site. And the proposed footprint of Anzac Hall will be improved as the building footprint will line up with the extremities of the Main Building transepts. The demolition of Anzac Hall and the impact on the landscape setting of the Memorial results in partial compliance with this policy.
- c) The integrity of the fabric of heritage values from different phases must be maintained, managed and interpreted (policy 1.9.1). The HIA states that the stone façade of the Main Building will not be impacted and measures have been proposed to mitigate impacts to other Main Building fabric (stairs, forecourt and entry paving etc). The main loss of fabric will occur from the demolition of Anzac Hall.
- d) Ensure development proposals or changes avoid and mitigate impacts on the heritage values of the Memorial. Heritage expertise and guidance should be included in the design development process (policy 1.12.3). The proposed action avoids some impacts and mitigates others. The AWM has engaged with architects, heritage consultants and stone consultants to guide the design process. The loss of Anzac Hall results in partial compliance this policy, although will be mitigated to an extent by a replacement building of similar function.
- e) Protect and manage the mature native trees in the Eastern Precinct in the context of its future redevelopment and improvement (1.3.1). This relates to the landscape context of the Memorial site recognised in NHL Criteria (a), (b), (e), (g) and CHL Criteria (a), (e), (f), (g) and (h). Partial compliance relates to the loss vegetation at the site including two mature *Eucalyptus melliodora* trees in the Eastern Precinct (**Attachment C10**). The AWM states that all replacement trees will be species native to the site.

142. The HIA states that the proposed action is not compliant with the following policies:

- a) Ensure that any new development within the Memorial's Campbell Precinct does not impinge on the silhouette of the Memorial as perceived from the land axis and that their height is less than the parapet of the Memorial's main building (Policy 1.11.2). The proposed action does not comply with this policy due to the height of the Glazed Link dome and new Anzac Hall roof rising above the parapet of the Main Building.
  - b) Conserve, manage and interpret the Anzac Hall as part of the Memorial's Main Building (Policy 1.11). The proposed action does not comply with this policy due to the demolition of Anzac Hall. The impact is proposed to be mitigated to an extent by the photographic archival recording of the existing Anzac Hall and research projects to document the public memories of Anzac Hall and the architectural interpretation of the development of the site. However, policy 1.11.1 of the HMP states that if and when the opportunity arises, the roof of Anzac Hall should be replaced with copper in a radiating pattern. The roof of new Anzac Hall has been designed to include this requirement.
143. The Department generally agrees with the HIA's assessment of the action in terms of consistency with the HMP policies.
- a) The Department considers that the proposed action aligns with a number of policies in the HMP, in particular the proposed action maintains the use of the place, retains the current contrast between galleries and exhibitions, impacts have been assessed for major changes to the site, the Memorial will retain its prominence in the land axis and the proposed design maintains the symmetry of the existing building design in the landscape. Additionally mitigation measures have been proposed to maintain the external façade of the Main Building, maintain the view of the Memorial 'in the round', archival recording of the changes to the site including demolition of Anzac Hall and a heritage assessment of the landscape design is proposed to maintain the character of the eastern and western precincts.
  - b) The Department considers that the proposed action departs from with the HMP as Anzac Hall will not be conserved and is proposed to be demolished. However, the contribution of Anzac Hall to the values of the site will be conserved via archival recording and documented memories and as such it will continue to be presented and transmitted to future generations in alignment with the Commonwealth Management Principles (Condition 5).
  - c) The Department also considers that the proposed action departs from the HMP as the rooves of both the Glazed Link and Anzac Hall will rise above the parapet of the Main Building and will be visible along the Parliament House vista. While the proponent has reduced the height of these rooves as much as practically possible, the impact cannot be completely mitigated.
144. Though the proposed action departs from some of the policies set out in the HMP, the Department, as explained in this report, is satisfied that if the proposed action is undertaken in accordance with the recommended conditions, then it will not have unacceptable impacts on the Commonwealth and National Heritage values of the AWM. Further, the Department is satisfied that the recommended decision is not inconsistent with the Commonwealth Heritage Management Principles and the National Heritage Management Principles. The Department's consideration of the National Heritage Management Principles is outlined in Table 7 and paragraphs 109-110. The Department's consideration of the Commonwealth Heritage Management Principles is outlined below.

*Commonwealth Heritage Management Principles*

145. The [Commonwealth Heritage Management Principles](#) contained in Schedule 7B to the EPBC Regulations provide a guiding framework for best practice in managing Commonwealth heritage places. They set the standard and the scope of the way places should be managed in order to protect heritage values for future generations.
146. The Australian Government Environment Minister must not act inconsistently with the Commonwealth Heritage Management Principles. The Department's consideration of the Commonwealth Heritage Management Principles, which includes an assessment of the proposed action for consistency with those principles is included in Table 10 below.

**Table 10:** Consistency of the Proposed Action with Commonwealth Heritage Management Principles

Commonwealth Heritage Management Principles	Assessment of consistency
Principle 1: The objective in managing Commonwealth Heritage places is to identify, protect, conserve, present and transmit, to all generations, their Commonwealth Heritage values.	The proposed action conserves the Commonwealth Heritage values of the place and will continue to allow transmission and presentation of these values to future generations. This has been shown by the above analysis of the action against the CHL values.
Principle 2: The management of Commonwealth Heritage places should use the best available knowledge, skills and standards for those places, and include ongoing technical and community input to decisions and actions that may have a significant impact on Commonwealth Heritage values.	During the assessment process, the AWM engaged appropriate technical experts including heritage consultants, architects with expertise in heritage listed places and heritage stone experts and undertook a detailed assessment of the impacts of the proposed action on Commonwealth Heritage values. Community input was facilitated through a program of stakeholder consultation, including consultation workshops through each Australian State, and an online survey including social heritage values. The PD was also subject to public comment for 20 business days. This consultation has been reflected in the PD.
Principle 3: The management of Commonwealth Heritage places should respect all heritage values of the place and seek to integrate, where appropriate, any Commonwealth, State, Territory and local government responsibilities for those places.	<p>The proposed action will impact on the Memorial's listed National and Commonwealth Heritage values as summarised in paragraphs 46-129. The proponent has proposed mitigation measures to reduce the impact of the proposed action on National and Commonwealth Heritage values. The Department has proposed conditions to formalise implementation of these mitigation measures.</p> <p>The Department has engaged with the NCA to integrate the EPBC Act approvals process with the works approval responsibilities of the NCA.</p>
Principle 4: The management of Commonwealth Heritage places should ensure that their use and presentation is consistent with the conservation of their Commonwealth Heritage values.	<p>Although significant changes to the site are proposed, the use of the place as a memorial will not change.</p> <p>While the proposed action is likely to impact the Commonwealth Heritage values of the AWM, the action and the measures to avoid, mitigate, repair and offset these impacts which are</p>

Commonwealth Heritage Management Principles	Assessment of consistency
	recommended to be required under the Department's recommended conditions would ensure the use and presentation of the AWM and would be consistent with the conservation of the values of the place. For example, removed heritage fabric will be reinstated where possible or sourced to ensure their finish and design is sympathetic to the existing built form and archival recording will be conducted of the existing site.
<p>Principle 5: The management of Commonwealth Heritage places should make timely and appropriate provision for community involvement, especially by people who:</p> <p>(a) have a particular interest in, or association with, the place; and</p> <p>(b) may be affected by the management of the place.</p>	<p>During the assessment process, the AWM undertook extensive stakeholder consultation, including workshops in each Australian State, and an online survey including social heritage values. Stakeholders consulted included the architect and heritage community, veterans and their families, the general public and specific consultation was conducted with Indigenous stakeholders including Registered Aboriginal Parties. The PD was also subject to public comment for 20 business days. This consultation has been reflected in the PD.</p>
<p>Principle 6: Indigenous people are the primary source of information on the value of their heritage and that the active participation of Indigenous people in identification, assessment and management is integral to the effective protection of Indigenous heritage values.</p>	<p>The AWM consulted with indigenous stakeholders regarding the proposed action and regarding protection of known, but unlisted Indigenous cultural heritage sites on the Memorial site. The AWM commits to engage with Indigenous stakeholders regarding the future gallery content and representation of Indigenous people and matters (commitments 5D and 5E, RTS <b>Attachment C3</b>).</p>
<p>Principle 7: The management of Commonwealth Heritage places should provide for regular monitoring, review and reporting on the conservation of Commonwealth Heritage values</p>	<p>To ensure compliance of the proposed action with the Department's recommended conditions, the conditions require AWM keep compliance records, report incidents of non-compliance with conditions to the Department, report annually on the compliance with conditions and publish the report on the website for public access.</p>

147. In conclusion by reason of the matters outlined in Table 10 above, the Department considers that approving the proposed action subject to the proposed conditions would not be inconsistent with the Commonwealth Heritage Management Principles.

Other aspects of the environment (ecosystems and their constituent parts, natural and physical resources and qualities and characteristics of locations, places and areas)

148. The PD states that as the site is highly disturbed, there are no listed threatened species or communities and/or known habitat for species or areas of remnant vegetation on the Memorial site. The EPBC Act listed Superb Parrot was noted to occur in land adjacent to the site.

149. The risk of potential contamination on soil and groundwater from underground storage tanks on site is generally considered to be low. There are no natural watercourses on the

site. A drainage channel is located uphill, 40 metres north of the project site and therefore there is low potential for disturbed earth to wash into this drainage channel from construction works.

150. An assessment for Indigenous Heritage was conducted in 2008 and identified one indigenous cultural heritage site on the Memorial site (see Figure 6.6 in the PD). This identified site is outside of the footprint of the proposed works and is not expected to be impacted by the proposed action. The AWM commits to implementing measures during the construction phase to manage unanticipated archaeological finds if encountered.

151. The measures proposed to mitigate construction impacts to the whole of the environment have been included as Condition 4 of the proposed approval. These measures include:

- a) protecting onsite mature trees and checking hollows prior to clearing,
- b) managing soil erosion, stormwater contamination and weeds,
- c) monitoring soil and groundwater for potential contamination from underground storage tanks,
- d) protecting existing Aboriginal cultural heritage sites and implementing measures to manage an unanticipated archaeological find including consultation with Registered Aboriginal Organisations, and
- e) inducting all construction personnel so that they are aware of the National and Commonwealth Heritage values and Aboriginal cultural heritage values of the site.

152. The AWM also commits to onsite reuse and repurposing of as much of the original Anzac Hall building material as practicable in line with National Waste Action Plan 2019. This has been included as condition 16 of the proposed approval.

#### *Overall Conclusion on Whole of Environment Impact as a result of Commonwealth Action*

153. The Department has considered the likely impacts of the proposed action on the environment, including heritage values of the Australian War Memorial, the Commonwealth Heritage values of the Parliament House vista, and other aspects of the environment. The Department considers that if the proposed action is undertaken in accordance with the mitigation measures and the recommended conditions of approval, it will not have an unacceptable impact on the environment, nor will it be inconsistent with the National and Commonwealth Heritage Management Principles.

### **Considerations for Approval and Conditions**

#### **Mandatory considerations – section 136(1)(b) Economic and social matters**

154. In deciding whether or not to approve the proposed action and what conditions to attach to the approval, you must consider economic and social matters, so far as they are not inconsistent with any other requirement of Subdivision B, Division 1 of Part 9 of the EPBC Act.

155. The proposed action will improve visitor amenity and circulation space, equitably recognise more recent and under-represented conflicts, allow the exhibition of the broader context of war including peace-keeping efforts and provide equitable access by addressing compliance issues with the *Disability Discrimination Act 1992*. The Memorial's visitor

demographic includes a higher number of older persons and persons with a disability, including elderly veterans. Combined with the lack of circulation space, poor access has often made the journey for visitors with accessibility requirements difficult and detracted from the experience of visiting the Memorial. The AWM commits to establishing a Universal Access and Inclusion Peer Group to provide feedback on exhibition design from a universal access viewpoint for people with diverse needs (commitment 5C, RTS **Attachment C3**).

156. The Australian Government has allocated a total project allocation of \$498.7 million for the proposed action over nine years. ([PWC Submission by AWM](#)). The PD in **Attachment C** provides an analysis of the social and economic impacts of the proposed action.
157. The AWM estimates that in each year of construction (9 to 10 years) an average of 97 direct and indirect jobs will be generated in the Australian Capital Territory (ACT) and 214 jobs in Australia by the construction phase. Additional investment of up to \$60.3 million in the ACT is expected during the construction phase by direct and indirect investment stimulated by the proposed action through supply chain links and induced income/consumption uplift.
158. The construction phase is also expected to result in an average increase in \$11.4 million in Gross State Product (GSP) per year.
159. The operational phase of the proposed action will create 418 additional direct and indirect jobs in the ACT. There will also be an additional investment of \$11.2 million per year in the ACT through direct and indirect investment stimulated through supply chain links and induced income/consumption uplift. Through the operational phase there will be an increase in \$88.2 million in Gross State Product (GSP) per year. This is stated as additional economic activity created by the proposed action but does not include the direct budget contribution by Government.
160. The proposed action received a high level of criticism in terms of its value for money. The AWM states the allocated budget for the proposed action will not result in less expenditure on other areas of concern highlighted in the public submissions namely veteran mental health and welfare. The allocated budget for the proposed action is not a statutory requirement for consideration under the EPBC Act.
161. As part of the Response to Submissions (**Attachment C3**), the AWM has committed to ensuring the veterans and defence family community are able to access employment and business opportunities through the proposed action.
162. The AWM also commits to engaging Indigenous businesses where possible and will have an active plan to investigate opportunities, with the intent of exceeding the targets in the Government's Indigenous Procurement Policy.
163. In response to public submissions regarding the need for withdrawal and reflection spaces within the expanded Memorial, the AWM commits to engaging appropriately qualified specialists in veteran's mental health to provide input into the design of the proposed withdrawal and reflection spaces as part of the future gallery content planning (Commitment 3E, RTS **Attachment C3**).

**Factors to be taken into account section 136(2)(a) Principles of ecologically sustainable development**

164. In deciding whether or not to approve the taking of an action and the conditions to attach to an approval, section 136(2)(a) of the EPBC Act provides that you are required to take into account the principles of ecologically sustainable development (ESD). The principles of ESD, as defined in Part 1, section 3A of the EPBC Act, are:
- a) decision-making processes should effectively integrate both long-term and short-term economic, environmental, social and equitable considerations;
  - b) if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
  - c) the principle of inter-generational equity – that the present generation should ensure that the health, diversity and productivity of the environment is maintained or enhanced for the benefit of future generations;
  - d) the conservation of biological diversity and ecological integrity should be a fundamental consideration in decision-making;
  - e) improved valuation, pricing and incentive mechanisms should be promoted.
165. In addition, section 391 of the EPBC Act provides that you must take into account the precautionary principle in deciding whether or not to approve the taking of an action, to the extent you can do so consistently with the other provisions of the EPBC Act. The precautionary principle requires that, if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.
166. In formulating this recommendation, the department has taken into account the principles of ecologically sustainable development. In particular:
- This Recommendation Report and the PD contain information on the long-term and short-term economic, environmental, social and equitable considerations that are relevant to the decision and are presented for your consideration.
  - The Department took into account the precautionary principle and noted the impacts have a high degree of certainty. Any lack of certainty related to the potential impacts of the project is addressed by proposed conditions to minimise heritage and environmental impacts and which require the application of response mechanisms in a timely manner to avoid adverse impacts.
  - The proposed conditions allow for the action to be delivered and operated in a sustainable way to protect the National and Commonwealth Heritage values of the Australian War Memorial, the Parliament House vista and the environment for future generations.
  - The Department's advice includes reference to and consideration of a range of information on the economic costs, benefits and impacts of the action.

**Factors to be taken into account – section 136(2)(bc) – preliminary documentation**

167. In accordance with section 136(2)(bc)(i), the documents given to the Minister under section 95B(1) are at **Attachment C3**.

168. In accordance with section 136(2)(bc)(ii), this document forms the recommendation report relating to the action given to the Minister in accordance with section 95C.

**Factors to be taken into account – Other information – section 136(2)(e)**

169. In considering the matters under section 136(1), the Minister must take into account any other information the Minister has on the impacts of the action (including information in a report on the impacts of actions taken under a policy, plan or program under which the action is to be taken that was given to the Minister under an agreement under Part 10 (about strategic assessments)). There are no strategic assessments relating to the action.

**Factors to be taken into account – Comments from Ministers or public – section 136(2)(f)**

170. In considering the matters under section 136(1), the Minister must take into account any relevant comments given to the Minister in accordance with an invitation under section 131 or 131A.

171. The Department recommends the following Commonwealth ministers be invited to comment on the proposed approval decision: Minister for Indigenous Australians, Minister for Veteran's Affairs and Minister for Defence Personnel.

172. Any comments received from the Commonwealth ministers will be provided with the final approval decision brief.

173. The Department recommends public comments are not invited on the proposed approval decision.

**Person's environmental history – section 136(4)**

174. In deciding whether to approve the taking of an action, and what conditions to attach to the approval, you may, under section 136(4) of the EPBC Act, consider whether the person proposing to take the action is a suitable person to be granted an approval, having regard to:

- the person's history in relation to environmental matters;
- if the person is a body corporate - the history of its executive officers in relation to environmental matters; and
- if the person is a body corporate that is a subsidiary of another body or company (the parent body) - the history in relation to environmental matters of the parent body and its executive officers.

175. The proponent advised in its referral that it has never been the subject of proceedings under a Commonwealth, State or Territory environmental law. This is confirmed by advice from the Department's Office of Compliance (**Attachment E2**).

176. Given the above, the Department considers that it would be open to you to conclude that the proponent is a suitable person to be granted an approval.

**Considerations in deciding on conditions – section 134**

177. In accordance with section 134(1), the Minister may attach a condition to the approval of the action if he or she is satisfied that the condition is necessary or convenient for:

- a) protecting a matter protected by a provision of Part 3 for which the approval has effect (whether or not the protection is protection from the action); or
- b) repairing or mitigating damage to a matter protected by a provision of Part 3 for which the approval has effect (whether or not the damage has been, will be or is likely to be caused by the action).

178. As detailed in the Assessment section above, all recommended conditions attached to the proposed approval are necessary or convenient to protect, repair and/or mitigate impacts on a matter protected by provision of Part 3 for which this proposed approval has affect.

179. In accordance with section 134(4), in deciding whether to attach a condition to an approval the Minister must consider:

- a) any relevant conditions that have been imposed, or the Minister considers are likely to be imposed, under a law of a State or self-governing Territory or another law of the Commonwealth on the taking of the action;

The Department is not aware of any conditions that may be imposed on the taking of this action under a law of a State or self-governing Territory or another law of Commonwealth.

(aa) information provided by the person proposing to take the action or by the designated proponent of the action;

The information provided by the person proposing to take the action has been considered. Documentation provided by the person taking the action is at **Attachment C**.

- b) the desirability of ensuring as far as practicable that the condition is a cost-effective means for the Commonwealth and a person taking the action to achieve the object of the condition

The Department considers that the conditions proposed are a cost-effective means of achieving their purpose and are based on mitigation measures proposed by the proponent.

**Consideration of Condition-setting Policy**

180. The Department has considered the likely scope and severity of the impacts to relevant matters and the proposed avoidance and mitigation measures, and determined that it is likely the proposed action will result in a significant residual adverse impact on the National Heritage values of a National Heritage Place and certain elements of the environment, in particular the Commonwealth Heritage values of Memorial and the Parliament House vista. The Department considers that the conditions described are suitable to manage the residual impacts to matters of national environmental significance resulting from the proposed action.

181. The Department's Historic Heritage Section, Post Approval's Section and Environmental Audit Section were consulted on the recommended conditions.

182. Accordingly, the Department considers that it is necessary or convenient to apply approval conditions to this project, as outlined in this Recommendation Report and the Proposed Decision Notice in **Attachment B**. In applying this analysis, the Department has had regard to the EPBC Act Condition-setting Policy (2015).

#### **Minister not to consider other matters – section 136(5)**

183. In deciding whether or not to approve the taking of an action, and what conditions to attach to an approval, the Minister must not consider any matters that the Minister is not required or permitted by Division 1 of Part 9 to consider. This recommendation report prepared by the Department does not include any such matters.

#### **Requirements for decisions about National Heritage places – section 137A**

184. In deciding whether or not to approve for the purposes of section 15B or 15C of the EPBC Act the taking of an action, and what conditions to attach to such an approval, the Minister must not act inconsistently with:

- a) the National Heritage management principles; or
- b) an agreement to which the Commonwealth is party in relation to a National Heritage place; or
- c) a plan that has been prepared for the management of a National Heritage place under section 324S or as described in section 324X

185. A discussion on the National Heritage management principles is set out in paragraphs 109 to 110 and Table 7. For the reasons there discussed, the Department considers that the approval of the proposed action and the recommended conditions are not inconsistent with the National Heritage management principles. The Commonwealth is not party to any agreements in relation to this National Heritage place. No plan has been prepared for the management of the Australian War Memorial under section 324S or as described in section 324X of the EPBC Act.

#### **Bioregional Plans section 176(5)**

186. In accordance with section 176(5), the Minister is required to have regard to a bioregional plan in making any decision under the Act to which the plan is relevant.

187. The proposed action is not located within or near an area designated by a bioregional plan. The Department considers that there are no bioregional plans relevant to the proposed action.

#### **Conclusion**

188. The proposed action is likely to impact on the National Heritage values of the Memorial and elements of the environment such as the Commonwealth Heritage values of the Memorial and the Parliament House vista. The Department considers that the likely impacts of the proposed action on these matters are not unacceptable, provided the action is undertaken in accordance with the proposed mitigation measures and recommended conditions.

189. Having considered all matters required to be considered under the EPBC Act, the Department recommends the action be approved, subject to the recommended conditions detailed on page 1 of this recommendation report.

**Material used to prepare Recommendation Report**

The following documents have been used in preparing this Recommendation Report:

- *Environmental Protection, and Biodiversity Protection Act 1999* Significant Impact Guideline 1.1 - Matters of National Environmental Significance
- *Environmental Protection, and Biodiversity Protection Act 1999* Significant Impact Guideline 1.2 - Matters of National Environmental Significance.
- Referral documentation and attachments (Attachment C1)
- Final assessment documentation (Attachment C)
- Response to Submissions Report (Attachment C3)
- Historic Heritage Section Advice (Attachment E1a, E1b, E1c)
- Public submissions on assessment documentation (Attachment F)
- National Heritage Values for the Australian War Memorial and Memorial Parade (Attachment A3)
- Commonwealth Heritage Values for the Australian War Memorial (Attachment A4)
- Commonwealth Heritage Values for the Parliament House vista (Attachment A5)
- Australian War Memorial Heritage Management Plan 2011 (Attachment A6)
- The Commonwealth and National Heritage Management Principles.